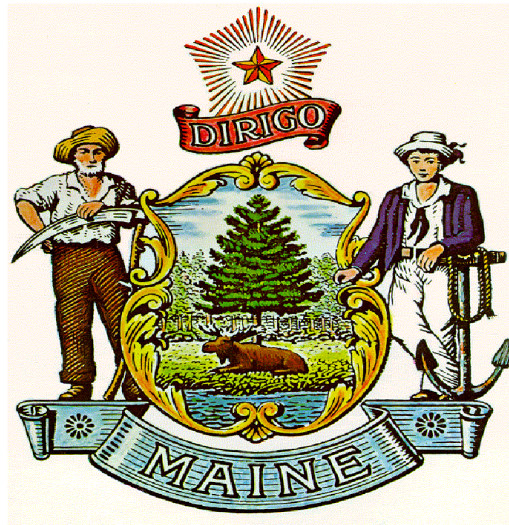


**DETENTION AND CORRECTIONAL STANDARDS
FOR
MAINE
COUNTIES AND MUNICIPALITIES**



**STATE OF MAINE
DEPARTMENT OF CORRECTIONS
Inspections Division**

Commissioner Martin A. Magnusson

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September, 2005

MAINE DEPARTMENT OF CORRECTIONS

STATUTORY AUTHORITY FOR STANDARDS AND INSPECTIONS

34-A M.R.S.A. Section 1208 Standards for County and Municipal Detention and Correctional Facilities.

The Commissioner shall establish standards pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, for county and municipal jails, holding facilities, and short-term detention areas, referred to in this section as “county and municipal detention facilities”, as follows, and shall enforce them.

1. Establishment. The commissioner shall establish both mandatory and desirable standards for all county and municipal detention facilities, setting forth requirements for maintaining safe, healthful and secure facilities.
2. Inspections. Inspections of county and municipal detention facilities are governed as follows:
 - A. The Commissioner shall conduct a comprehensive inspection of each county and municipal detention facility every 2 years, in order to provide the department with information, verified by on-site inspection, regarding compliance with all department standards.
 - B. The Commissioner shall conduct no fewer than 3 additional inspections of each county and municipal detention facility during the period between each comprehensive inspection, in order to determine continued compliance with standards.
 - C. The Commissioner may inspect a county or municipal detention facility at anytime, without prior notice, to determine compliance with standards.
 - D. The Commissioner shall prepare a written report of each inspection and shall send a copy of the report to appropriate county or municipal officials within 15 days after the inspection.
 - (1) The report shall summarize inspection findings.
 - (2) The report shall list the standards with which the facility does not comply and set forth the reasons for noncompliance.
 - E. The Commissioner shall order the non-complying county or municipality to respond to this report in accordance with subsection 3.
3. Standards Compliance. Each county and municipal detention facility shall, unless granted a variance pursuant to subsection 5, comply with the mandatory standards established by the Commissioner.
 - A. Within 60 days from the receipt of an inspection report for each mandatory standard listed in subsection 2, paragraph D, subparagraph (2), the county or municipality shall either:

- (1) Correct deficiencies listed in the report and submit to the department a written response listing the corrections made; or
 - (2) Offer a plan to correct those deficiencies for consideration by the department.
- B. If a county or municipality fails to correct deficiencies and offers no plan of correction, or if the plan of correction offered to the department is determined inadequate by the Commissioner, the Commissioner shall determine an appropriate action to restrict or modify the operations of the facility, consistent with the nature of the uncorrected deficiencies, which action may include ordering an entire facility closed until the deficiencies have been corrected.
 - (1) Before any such action is taken, the Commissioner shall notify the county or municipality in writing of the planned action and shall offer the opportunity to meet and discuss the planned action.
 - (2) If a meeting is not requested by the county or municipality within 15 days after the county or municipality receives notice of the planned action, or if a meeting is held and fails to produce a plan of correction acceptable to the Commissioner, the Commissioner shall take the planned action.
4. Emergency Powers. The Commissioner may take immediate action in response to noncompliance with a mandatory standard if the noncompliance is determined to endanger the safety of the staff, inmates, or visitors of any county or municipal detention facility.
 - A. The Commissioner's action under this subsection shall expire within 90 days or upon compliance with the mandatory standard.
 - B. After having taken action under this section, the Commissioner shall send a written inspection report to the affected facility.
 - C. The Commissioner shall decide what long-term action to take with respect to the affected facility on the basis of county or municipality response to the inspection report and subsequent meetings.
5. Variances. The Commissioner shall establish written procedures to govern the submission and consideration of requests for variances from established departmental standards, including provisions for department consideration of appeals of decisions.
 - A. The Commissioner may grant a variance only when he determines that the variance will not result in diminishing the safety, health, or security of staff, inmates, or visitors of a county or municipal detention facility.
 - B. The Commissioner may grant variances to counties and municipalities for periods of up to 2 years.
 - C. County and municipal officials may request variances from mandatory department standards if:
 - (1) Efforts are under way to achieve compliance and continued failure to comply is only temporary; or

(2) The intent and spirit of the standards may be attained through other means.

D. The officials applying for a variance have the burden of showing clear justification for the variance.

6. **Advisory Review.** The Commissioner shall create and maintain a county and municipal detention facility advisory committee.

A. The committee shall consist of representatives of the Department of Corrections, Maine Sheriffs' Association, Maine County Commissioners' Association, Maine Chiefs of Police Association, Attorney General, Legislature, and citizens.

B. The terms of members of this committee shall be one year.

C. Members of the county and municipal detention facility advisory committee are eligible for reappointment at the expiration of their term.

D. The Commissioner shall consult the committee when promulgating standards and may consult the committee when variances are sought, when actions are contemplated by the commissioner in response to a failure to comply with standards, and when the commissioner determines that the consultation is necessary for other reasons.

7. **Technical Assistance.** The Commissioner may provide technical assistance to county and municipal detention facilities to facilitate compliance with standards.

Section 1208-A Standards for Additional Accommodations

The Commissioner shall establish standards for facilities not covered by section 1208 that are used to house county prisoners, including secure detention facilities as defined in Title 15, Section 3003, subsection 24-A, and temporary holding resources as defined in Title 15, section 3003, subsection 26, and has the same powers to enforce those standards as provided under section 1208.

Title 15 Section 3203-A Juvenile Detention

7. Restriction on place of detention. The following restrictions are placed on the facilities in which a juvenile may be detained.

A. A juvenile may be detained in a jail or other secure detention facility intended for use or primarily used for the detention of adults only when the serving facility:

(1) Contains an area where juveniles are under direct staff observation at all times, in a separate section for juveniles that complies with mandatory sight and sound separation standards established by the Department of Corrections pursuant to title 34-A, section 1208;

(2) Provides for no regular contact between the juveniles with the adult detainees or inmates; and

(3) Has an adequate staff to provide direct observation and supervise the juvenile's activities at all times during emergency detention.

Juveniles detained in adult-serving facilities may be placed only in the separate juvenile sections that comply with mandatory separation standards established by the Department of Corrections pursuant to Title 34-A, section 1208, unless the court orders that the person be detained with adults for any period of detention occurring after the detainee has attained the age of 18 years or unless the juvenile is bound over as an adult and held in an adult section of a facility pursuant to court order.

B-4. The State is responsible for all physically restrictive juvenile detention statewide, except that the detention for up to 6 hours provided under subsection 1 remains the responsibility of the counties. At the discretion of the sheriff, if the requirements of paragraph B-5 are met, a county may assume responsibility for the detention of a juvenile for up to 24 hours, excluding Saturdays, Sundays and legal holidays. Upon mutual agreement of the Commissioner of Corrections and the sheriff and upon terms mutually agreeable to them, a juvenile may be detained by a county for a longer period of time in an approved detention facility or temporary holding resource complying with paragraph B. Any detention of a juvenile by a county must be in a section of a jail or other secure detention facility in compliance with paragraph A or in an approved detention facility or temporary holding resource in compliance with paragraph B. This paragraph does not apply to a juvenile who is held in an adult section of a jail pursuant to court order under paragraph C or D; section 3101, subsection 4, paragraph E-1; or section 3205, subsection 2.

Title 30-A Section 1659, 6. Minimum Standards for Electronic Monitoring

The Commissioner of Corrections shall establish minimum standards for electronic monitoring and may enforce those standards as provided under Title 34-A, section 1208.

MAINE DEPARTMENT OF CORRECTIONS

DETENTION AND CORRECTIONAL STANDARDS FOR COUNTIES AND MUNICIPALITIES

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SECTION I
Glossary

Glossary Of Terms

ADMINISTRATION (of medication) - The act of giving a single dose of an identified drug to a patient.

ADMINISTRATIVE SEGREGATION - A form of separation from the general population when the continued presence of the inmate in the general population would pose a serious threat to safety of self, personnel, volunteers or other inmates; to the security or orderly running of the institution; or to property. Inmates pending investigation for trial on a criminal act committed within the facility, or pending transfer can also be included. (See also Protective Custody).

ADMINISTRATOR - The Sheriff, Chief of Police, Facility Administrator, or other duly authorized person who is responsible for the operation and management of a jail, holding facility, or short-term detention area.

BOOKING - Booking is both a law enforcement process and a detention facility procedure. As a police administrative action, it is an official recording of an arrest and the identification of the person, place, time, arresting authority, and reason for the arrest. In the detention facility, it is a procedure for the admission of a person charged with or convicted of an offense, which includes searching, fingerprinting, photographing, medical screening, and collecting personal history data. Booking also includes the inventory and storage of the individual's personal property.

CHEMICAL/ORGANIC AGENTS - An active chemical or organic substance used as a form of non-deadly force.

CLASSIFICATION - A process for determining the risk levels and needs of inmates for the purpose of assigning them to housing units and programs according to their risks and needs.

COMPLIANCE MANAGER - Supervisory level staff person assigned by the County Jail Administrator to be responsible for the management and monitoring of the facility's self-inspection compliance program as required by MDOC.

CONTRABAND - Any item possessed by an inmate, in an inmates' area, found within or outside the facility perimeter which is declared illegal by law or not specifically approved for inmate possession by those legally charged with the responsibility for administration and operation of the facility.

CONTROL CENTER - A secure area within a jail facility that is equipped with the following systems in order to maintain security and control of the facility at all times:

- locking systems (both manual and electronic) that control access to, egress from, as well as movement within the facility security perimeter
- facility communication systems
- alarm systems
- video/audio monitoring systems

The Facility needs to dictate whether the control center is established for corrections functions only or is combined with other functions (such as law enforcement).

DAYSPEACE - A secure area directly adjacent to an inmate cell/room area to which inmates may be admitted for activities such as bathing, exercise, recreation, and dining. Spaces originally designed for circulation, such as corridors, are not day-spaces.

DEPARTMENT - The Maine Department of Corrections

DETAINEE - Any person confined in a jail, holding facility, or short-term detention area who is not serving a sentence for a criminal offense.

DETENTION - The confinement of an inmate (usually a pretrial inmate) in a secure area.

DETENTION AREA- The spaces in a facility routinely used for detention functions, including cells, corridors, processing areas, and other spaces where inmates may be present.

DETOXIFICATION CELL - A cell that is used to temporarily hold a chemically impaired person during the detoxification process until he/she can care for himself/herself and be moved to a general housing area; or that is used to detain a person whose behavior requires close supervision.

DIRECT SUPERVISION - Supervision of general population inmates by a correctional officer assigned to a specific unit and present on a continuous basis during waking hours.

DISPENSING (medication) - The issuing of one or more doses of medication from a stock or bulk container

DISCIPLINARY SEGREGATION - A form of separation from the general population in which inmates committing violations of facility rules are confined by the disciplinary committee or other authorized group for short periods of time to individual cells separated from the general population. Placement in disciplinary segregation may only occur after a finding of a violation at an impartial hearing.

DISCIPLINARY HEARING - A non-judicial administrative procedure to determine if substantial evidence exists to find an inmate guilty of a rule violation.

EDUCATIONAL RELEASE - A form of unsupervised temporary release under which an inmate leaves a facility to attend school in the community, and returns to custody after school hours.

ESSENTIAL STANDARD - A standard based on established professional correctional practices that have been found necessary to protect the health and safety of inmates and staff as well as the security of the jail.

EMERGENCY - Any significant disruption of normal facility policy, procedure, or activity caused by riot, strike, escape, fire, natural disaster, or other serious incident.

FACILITY - A jail, holding facility, or short-term detention area, including the buildings and site.

FACILITY PERSONNEL - Employees, full-time and part-time, retained by a county or municipality to carry out the operational functions of a detention, holding or jail facility. For the purposes of these standards, all employees of other agencies and organizations that provide some service to the facility are considered personnel when they are in the facility or on its grounds.

FOOTCANDLE - A unit for measuring the intensity of illumination by measuring the amount of light thrown one foot above a surface.

FURLOUGH - A form of temporary release under which an inmate leaves a facility to go into the community, supervised or unsupervised, for purposes consistent with the inmate's rehabilitation.

GOOD TIME OR DEDUCTIONS - A system established by law whereby a convicted offender is credited a set amount of time, which is to be subtracted from his/her sentence, for specified periods of the sentence served for good behavior, work or program participation.

GRIEVANCE - A written complaint filed by an inmate with designated facility personnel concerning personal health and welfare or the operations and services of the facility.

HEALTH CARE -The sum of all action taken, preventive and therapeutic, to provide for the physical and mental well-being of the facility population. Health care includes medical and dental services, mental health services, nursing, personal hygiene, dietary services, and environmental conditions.

HEALTH CARE PERSONNEL - Individuals whose primary duties are to provide health services to inmates in keeping with their respective levels of health care training, experience, and licensure.

HEALTH CARE PROVIDER -An individual or agency responsible for the provision of health care services to inmates in accordance with a written agreement with the facility administration

HOLDING CELL -A cell within a facility that is used to hold one person temporarily while he/she awaits processing, booking, court appearance, or discharge.

HOLDING FACILITY - A facility, or part of a building, used for the temporary detention of detainees prior to arraignment, release, or transfer. Sentenced inmates may be held only pending transfer to another facility or authority. Sentences shall not be served in holding facilities. Two classifications of holding facilities are authorized: (1) up to 6 hours maximum length of detention; and (2) up to 72 hours maximum length of detention.

HOUSING AREA - An area containing maximum security, medium security, minimum security or segregation cells or rooms, excluding holding, detoxification, or infirmary cells or rooms, and containing day-space, including space provided for sleeping, storage of approved personal effects, personal hygiene accommodations, and activities.

INFORMATION SYSTEM - Includes the concepts, personnel and supporting technology for the collection, organization, and delivery of information for administrative use. There are two types of information:

1. Standard information consisting of the data required for operational control, such as daily count, positive and negative release rates, escape rates, referral sources, and payroll data in a personnel office;
2. Demand information, which can be generated when a report is required, such as the number of inmates in educational and training programs, and duration of confinement.

INMATE - Any person, whether detained or sentenced, who is confined in a jail, holding facility, or short-term detention area.

INMATE-OCCUPIED AREA - That portion of a facility which could normally be occupied by inmates.

INMATE RECORDS - Information concerning the individual's personal, criminal, and medical history, behavior, and activities while in custody, including but not limited to: commitment papers, court orders, detainers, personal property receipts, visitors list, photographs, fingerprints, type of custody, disciplinary violations and actions taken, grievance reports, work assignments, program participation, and miscellaneous correspondence.

INTERMITTENT SUPERVISION - The Supervision of an inmate by an assigned correctional officer within an established time frame according to an inmate's risk level. (example: Maximum security every 15 minutes)

JAIL - A confinement facility operated by a county which holds persons detained pending adjudication and/or persons committed after adjudication for misdemeanor sentences or for felony sentences of nine months or less.

LIFE SAFETY CODE - A manual published by the National Fire Protection Association specifying minimum standards for fire safety necessary in the public interest.

LIVING AREA - An area containing holding, detoxification, or infirmary cells or rooms, which may also contain day-space.

MAJOR INFRACTION - A violation of inmate rules that is punishable by actions which could affect release time or actions which could result in a major change in conditions of confinement.

MANDATORY STANDARDS - A standard which has a basis in Case Law, State and Federal Law, or codes intended to protect the rights and or safety of inmates. A 100% compliance with Mandatory Standards in conjunction with 90% compliance with Essential Standards is required for a facility to be licensed by the Maine Department of Corrections.

MAXIMUM SECURITY HOUSING - A part of the facility in which maximum security inmates are housed. Such an area has the highest level of physical and operational security.

MAXIMUM SECURITY INMATE - An inmate who is not allowed to intermingle with inmates of other classifications and who may be allowed to participate in group activities only under direct staff supervision. An inmate may be assigned this classification because of assaultive behavior, a threat to personnel, volunteers, or others inmates, a serious escape threat, or a threat to good order of the facility.

MEDICAL RECORDS - Records pertaining to the health care provided to inmates and maintained by the responsible health care provider.

MEDICAL SCREENING - A system of structured observation and initial health assessment to identify newly arrived inmates who have a medical or mental health condition that may pose a threat to themselves or others.

MEDIUM SECURITY INMATE - An inmate who may be allowed, under direct or indirect staff supervision, to participate routinely in group activities and to intermingle with inmates of other classifications. An inmate is assigned this classification when it is determined that the inmate is not normally assaultive, is not a serious escape threat, does not pose a threat to personnel, volunteers, or other inmates, and does not pose a threat to the good order of the facility.

MINIMUM SECURITY INMATE - An inmate who may be allowed, under direct or indirect staff supervision, to work outside the facility, participate routinely in group activities, and intermingle with inmates of other classifications. An inmate is assigned this classification when it is determined that the inmate is not assaultive and does not pose a threat to personnel, volunteers, or others inmates, an escape threat, or a threat to the good order of the facility.

MINOR INFRACTION - A violation of inmate rules which is punishable by actions which do not affect release time or actions which do not result in a major change in conditions of confinement, but which may result in a short-term restriction or loss of privileges.

OBSERVATION CELL - A cell used to temporarily house an inmate in need of close supervision and observation.

POST: A specific work station or work area assigned to and used by staff to carry out specific operation practices related to the area assigned.

POST ORDERS- A written description of the major responsibilities and operational practices required to be carried out by those staff assigned to a post.

PROTECTIVE CUSTODY - A form of separation from the general population for inmates requiring protection from other inmates for reasons of health or safety. The inmate's status is reviewed periodically by the classification committee or other designated group. (See Administrative Segregation and Segregation.)

RATED CAPACITY - The number of inmates a facility may house in accordance with standards under full, normal, operation without the addition of extra beds or mattresses to accommodate overcrowding. A facilities rated capacity is established by the Department.

RESTRAINT EQUIPMENT - Any mechanical contrivance, appliance, or object designed or fashioned to physically control or incapacitate a person, such as handcuffs, leg irons, or straight-jackets.

SAFETY EQUIPMENT - This includes firefighting equipment, (chemical extinguishers, hoses, nozzles, water supplies, alarm systems, sprinkler systems, portable breathing devices), gas masks, fans, first aid kits, stretchers, emergency alarms, and other items necessary to ensure the safety of facility personnel, inmates and visitors.

SALLY PORT - An enclosed area situated either in the perimeter wall or fence of the facility or within the interior of the facility, containing gates or doors at both ends, during normal operation only one of which opens at a time. This method of entry and exit ensures there will be no breach in the perimeter or interior security of the facility.

SECURITY (OR CUSTODY) - The degree of restriction of inmate movement within a detention/correctional facility, usually divided into maximum, medium and minimum risk levels.

SECURITY AREA - A defined space whose physical boundaries have controlled access and egress.

SECURITY DEVICES - Locks, gates, doors, bars, fences, screens, ceilings, floors, walls and barriers used to confine and control inmates. These also include, electronic monitoring equipment, security alarm systems, security light units, auxiliary power supply, and other equipment used to maintain facility security.

SECURITY PERIMETER - The outer boundaries of a facility which actually provide for secure confinement of inmates. This perimeter may vary for individual inmates, depending upon their security classification.

SEGREGATION - The confinement of an inmate to a cell that is separated from the general population. There are two forms of segregation: administrative segregation, which may include protective custody, and disciplinary segregation.

SELF-INSPECTION COMPLIANCE PROGRAM - A process by which an individual jail facility evaluates and monitors their own practices and facility for compliance with standards promulgated by the Department.

SHORT-TERM DETENTION AREA - A section of a building used for the detention of inmates for periods of up to six hours.

SPECIAL MANAGEMENT INMATES - Persons whose behavior presents a serious threat to the safety and security of the facility, the inmate, the staff, or the general inmate population. Special handling and/or housing, is required to regulate the inmate's behavior.

STAFF MEMBER - For the purposes of these standards, employees who have detention and/or corrections responsibilities.

STANDARD - A statement of general applicability which is a minimum requirement for jails, holding facilities, and short-term detention areas in Maine.

STRIP SEARCH - An examination that can include visual inspection of body cavities of an inmate's naked body for weapons, contraband, and physical abnormalities.

SUPERVISORY STAFF - Facility personnel charged with the responsibility of supervising other personnel and ensuring compliance with standards, policy, procedures, and other operational practices during their tour of duty.

TEMPORARY RELEASE - A period of time during which an inmate is allowed to leave the program or institution and go into the community unsupervised for purposes consistent with the public interest.

TRAINING - An organized, planned, and evaluated activity designed to achieve specific learning objectives. Training may occur on site, at an academy or training center, at an institution of higher learning, through contract service, at professional meetings, or through closely supervised, on-the-job training. Meetings of professional associations are considered training when there is clear evidence of the above training elements.

VARIANCE An application process by which a county or municipality may request a temporary departure from a mandatory standard when the intent of a standard can be achieved in a different manner without posing a risk to the safety or security of a jail facility, staff or inmates.

WORK RELEASE - A formal arrangement, sanctioned by law, whereby an inmate is permitted to leave confinement to maintain approved and regular employment in the community, and returns to custody during nonworking hours.

WORK STATION - A secure or non-secure area that provides space and equipment to permit a facility staff member to carry out defined job responsibilities. The area may be a writing surface, office, or cubicle. The level of security for a work station depends on program needs and whether controls or access to certain areas need to be protected.

SECTION II a.
STANDARDS FOR COUNTY JAILS

Section II a

STANDARDS FOR COUNTY JAILS

A. ADMINISTRATION

A. 1. Mandatory

Each facility shall have an administrator who is responsible for facility management and operations.

A. 2.

The administrator should develop, implement and maintain a set of written policies and procedures describing all aspects of facility administration and operation. A suggested policy and procedure topic outline is presented in Appendix A. Policies should list applicable mandatory standards.

A. 3.

Written policies and procedures should be available to all facility staff.

A. 4.

The Jail Administrator shall submit his/her policy and procedure manual and any subsequent changes to the Department of Corrections. Policies and procedures developed shall be in compliance with mandatory standards.

A. 5.

Policies and procedures should be reviewed by the administrator on an annual basis and revised as frequently as needed.

A. 6.

The administrator should maintain a system to account for all inmate funds that meets acceptable accounting practices.

A. 7.

The administrator should ensure a system for calculating periods of imprisonment is maintained in compliance with Maine Statutes. (See Release Date Computation Sheet Form Sample Appendix C)

A. 8. Mandatory

The administrator shall maintain a system to monitor facility practices to insure compliance with written policies and procedures and standards. Facility compliance monitoring shall be managed by a supervisory level staff person.

B. TRAINING

B. 1.

All staff training and orientation should be documented in an individual's personnel or training file. At a minimum, documentation should include:

- a. Subject/topic area;
- b. Date received;
- c. Signature of person receiving training;
- d. Name of trainer/instructors;
- e. Results of performance evaluation and/or testing.

B. 2.

All new facility support staff and volunteers should be provided with an orientation program prior to being assigned to duty. At a minimum orientation should include:

- a. An overview of organizational structure;
- b. Tour of the facility;
- c. Overview of security practices;
- d. Emergency evacuation plans;
- e. Review of inmate rules and regulations.

B. 3.

All new correctional officers should complete an orientation and pre-assignment training program as required by the Maine Criminal Justice Academy.

B. 4.

All full-time Correctional Officers should be required to maintain annual certification in accordance with the requirements established by the Maine Criminal Justice Academy.

B. 5. Mandatory

Each facility shall have a qualified supervisory staff person trained in Methods of Instruction or certified as a trainer who is responsible for developing, coordinating, providing, and maintaining staff training.

B. 6.

All new supervisory staff should be provided training in supervisory skills. At a minimum, training should include:

- A. Supervisory Leadership Skills.
- B. Correctional Law (As it pertains to supervisors)

C. Principles of Organization and Management.

D. Supervisory Skills.

E. Personnel Supervision.

F. Employee Discipline and Counseling

G. Supervisory responsibility in monitoring operational practices to ensure compliance with policies, procedures and standards.

H. Completing employee evaluations.

B. 7.

Training should be based on and consistent with policies, procedures, and standards.

B. 8. Mandatory

All facility personnel authorized to use a firearm shall receive training and qualify in its use at least annually.

B. 9. Mandatory

All facility personnel authorized to use less than lethal chemical agents or weapons shall receive training in their use and handling.

B. 10.

At least one staff member on each shift should be certified in a nationally recognized First Aid Program such as the American Red Cross Standard First Aid or the National Safety Council First Aid Program.

B. 11. Mandatory

Certified correctional officers shall receive and maintain certification in Adult Cardio-Pulmonary Resuscitation (CPR).

B. 12. Mandatory

All correctional officers shall receive annual training in inmate suicides. Training shall include, at a minimum: suicide risk factors, suicide prevention, and facility suicide procedures and intervention practices. Suicide training shall be reviewed and approved by a qualified medical or mental health professional. Required training shall be documented in the correctional officers' training file.

C. RECORDS

C. 1.

The administrator should maintain an accurate management information system to collect, record, and process data to identify population trends and needs.

C. 2.

Each facility should maintain a disaster recovery plan for all software programs, security system, records, and other data stored in electronic media.

C.3

The administrator should maintain practices which prevent unauthorized disclosure of information or records pursuant to Maine and federal laws.

C. 4. Mandatory

The following information shall be recorded by each shift in the facility log and individual staff post-assignment logs.

- a. Personnel on duty;
- b. Time and results of staff supervision of inmates in accordance with Standard E.12;
- c. Time and results of inmate counts;
- d. Time and results of the Shift Supervisors' security and sanitation inspections during their respective shifts;
- e. Names of inmates received and discharged and time of reception/release;
- f. Time of meals served;
- g. Time medication dispensed;
- h. Shift activities, including any action taken on handling routine activities or unusual incidents or occurrences;
- i. Entry and exit of any visitors, including physicians, attorneys, volunteers, and all others;
- j. Notation of problems, disturbances, and use of emergency and restraint equipment.

As a part of shift change, the Shift Supervisor going off duty shall review and verify that the log is a complete and accurate record of activities during his/her shift.

C. 5.

All entries made in logs should be:

- a. Legible;
- b. Initialed by the person recording the entry or identifying the person responsible for log entries.
- c. Accurate. If it is necessary to make a correction to a log entry, a single line should be drawn through the entry, thereby leaving the entry legible and the correction should be made and initialed by the person making the correction. At no time should an entry be deleted from a log.

C. 6.

A written report should be completed on all inmates held in administrative or disciplinary segregation. After the inmate is released from segregation, the Report should be placed in the individual inmate's file folder. At a minimum, these reports should include:

- a. Date and time inmate is placed in or released from segregation;
- b. Name of the supervisory person reviewing and authorizing placement or release from segregation; and

- c. The behavior, reason, and/or justification for placing or releasing the prisoner from segregation.

C. 7.

Accurate and current files should be maintained for each individual inmate. The suggested minimum contents of an inmate's file includes:

- a. Inmate Admission and Release Forms; (See sample Appendix F)
- b. Court records (consistent with Maine statutes);
- c. Segregation Report Forms (as required by Standard C.6);
- d. Photographs;
- e. Itemized inventory forms for all clothing, property, money and valuables taken from and returned to the individual, including signatures as verification of receipt;
- f. Incident Reports and disciplinary action taken;
- g. Records describing court authorized inmate work and program participation;
- h. Classification documents;
- i. Inmate Intake/Screening Form (see sample Appendix E) completed at the time of admissions.

C. 8. Mandatory

There shall be a system for maintaining a daily by shift and monthly accounting of the facilities inmate population. The Monthly Population Report Form (Appendix B, B.1) must be completed for each facility and submitted to the Department of Corrections by the fifteenth of the following month.

C. 9.

Inmates should be permitted reasonable access to their files and records, in accordance with Maine Statutes.

C. 10. Mandatory

Inmate medical, mental health and substance abuse records shall be kept separate from other inmate records. The facility Health Care provider shall, in consultation with the facility administrator, establish policies that determine access to medical files. The facility medical provider shall keep correctional staff informed of inmate's medical care and condition.

C. 11. Mandatory

Inmate medical files shall contain the following minimum information:

- a. Inmate Health History Form;
- b. Any subsequent health appraisal forms;
- c. All findings, diagnoses, and treatments;
- d. All requests for medical treatment or attention;
- e. A record of all prescriptions and of medications administered;
- f. Inmate Intake medical/Screening Form (see samples, Appendix E);
- g. The date, time, and place of all medical encounters and discharges from treatment;
- h. Other pertinent documents, including laboratory, x-ray, and diagnostic studies; consent and refusal forms; and Release of Information Consent Forms.

C. 12.

When an inmate receiving medical or mental health treatment or care is transferred to another correctional facility, the sending facility should provide the receiving facility with a summary of the treatment or care being provided, including any prescribed medication on hand sufficient to allow the receiving facility time to order needed medication.

C. 13.

The facility food service manager should maintain complete and accurate records of all meals served to inmates and staff to include:

- a. Menus, including portion sizes;
- b. By whom prepared;
- c. Date/time served;
- d. Number of meals served;
- e. Any special diets served, including specific items served; and
- f. Any deviation from the established menu.

C. 14. Mandatory

All menus shall be reviewed by a qualified nutritionist or dietitian before being used, as well as any recommendations and action taken to comply with the qualified nutritionist or dietitian's recommendations. The facility food service manager shall keep a copy of all menus.

C. 15.

The administrator should keep a record of all incidents which result in physical harm to an individual or threaten the safety or security of the facility.

C. 16.

The Administrator, in consultation with the Health Care provider, should develop policies consistent with Title 5 MRSA, Section 19203 subsection 7 for the release of HIV test results. These policies should include procedures for informing inmates that HIV test results may be disclosed to the following:

- a. the inmate tested;
- b. the health care staff at the facility where the inmate is housed or the one to which he/she may be transferred in the future;
- c. the Sheriff and Chief Administrative Officer of the facility where the inmate is housed or anyone the inmate is transferred to;
- d. personnel responsible for the care and/or treatment of the inmate. Such treatment or care may include, but not be limited to, treatment or care which may be provided by teachers, social workers, correctional officers, psychologists, and counselors.

D. SAFETY AND SECURITY

D. 1. Mandatory

Fire prevention practices of the facility shall be inspected annually by the State Fire Marshal's Office or a local fire department, approved by the State Fire Marshal's Office, to determine compliance with fire preventative practices for detention/correctional facilities of the National Fire Prevention Association, Life Safety Codes. At a minimum, these practices shall be documented and shall include:

- a. The development and posting of written evacuation plans, including routes of egress. Appropriate sections of the plans shall be posted in areas where staff and inmates may familiarize themselves with them. Plans shall be posted in a manner that is based on the actual orientation of the room and direction of egress. Such plans should be developed and coordinated with the local fire department;
- b. Semiannual fire drills in which the facility is evacuated, in whole or in part, as security permits. The Jail Administrators will provide their local fire department with a complete orientation of the facility and its fire systems including a detailed tour of the facility. Staff from all shifts shall participate in fire drills which shall include the release of inmates both manually and electronically from secure areas.
- c. Annual inspection and/or testing of all fire fighting, suppression, and detection systems and equipment.
- d. Use of noncombustible furnishings and materials wherever possible, e.g., waste receptacles, mattresses, paints, storage.
- e. Proper storage and use of combustible and/or toxic materials.
- f. Weekly inspections of the facility by staff for fire hazards.
- g. Documentation of fire prevention practices carried out.

D. 2. Mandatory

An emergency electrical power system shall be in place so that the facility can make a quick recovery in order to maintain essential services, security, and safety. The equipment shall be tested in accordance with NFPA requirements. Such tests shall be documented.

D. 3.

In emergency situations, correctional officers should use only those weapons approved for use in writing by the Administrator or Sheriff.

D. 4. Mandatory

At least two duplicate sets of keys necessary to evacuate all areas of the facility and labeled "Emergency Keys", shall be readily available for use in emergency situations. In accordance with N.F.P.A Code 14.7.5 & 15.7.5 emergency keys shall be individually identifiable by touch and sight. A second set of emergency keys shall be kept in a secure area, readily available, outside the facility

security perimeter. Emergency keys shall be inventoried and tested in there actual lock at least every six months.

D. 5.

There should be written Post Orders for each facility's work station that define the specific task that staff are required to perform when assigned to the specific post. Post Orders should be based on and consistent with facility policies and procedures and standards.

D. 6. Mandatory

At no time shall inmates have access to facility control rooms.

D. 7.

All security perimeter entrances, control center doors, and housing unit doors should be kept locked except when in use. Doors to vacant housing units, unassigned cells, and storage rooms should be locked at all times.

D. 8.

Weekly inspections by the administrator or supervisory designee of perimeters, locks, bars, windows, masonry, ventilation covers, access panels, doors, furnishings, and other security equipment should be conducted. The name of the person conducting the inspection, date, time and results should be recorded. Any identified problems should be forwarded in writing to the administrator for corrective action.

D. 9. Mandatory

Firearms, ammunition, and weapons intended for use inside the facility in an emergency situation shall be securely stored outside the security perimeter and readily accessible in the event of an emergency.

D. 10.

When not in use or being carried for possible use, chemical agents, restraints, and security equipment should be stored securely and accessible only to authorized staff.

D. 11. Mandatory

Incident Reports shall be completed on any use of firearms or less than lethal agents within the facility. These reports shall be completed by all staff involved in, or witness to, the incident prior to going off duty. Such reports shall be submitted and reviewed by the Jail Administrator.

D. 12. Mandatory

Weapons shall not be permitted inside the secure perimeter of the facility except during emergency situations and when authorized by administrative staff. Secure storage shall be provided outside of the secure perimeter for weapons brought to the facility by law enforcement and other personnel.

D. 13. Mandatory

Any person on whom less than lethal agents, firearms, weapons or defensive/restraint equipment is used, shall receive medical attention for any injury or complaint of injury as soon as possible.

D. 14.

With the exception of high risk escorts, the use of restraint equipment within a facility should require authorization from a supervisory-level staff person and only authorized as a last resort to prevent immediate and real harm to self or others. All usage of restraints in a facility is to be fully documented in an Incident Report. When an inmate is placed in restraints, he/she should:

- a. Be placed under direct observation by a staff person who has the ability to intervene immediately to prevent harm to the inmate;
- b. Not be restrained in an unnatural position;
- c. Be restrained only as a temporary measure, that requires continued authorization by the supervisory staff or medical/mental health staff every thirty (30) minutes, as necessary, to bring the inmate's behavior under control; and
- d. Be restrained only to the extent necessary to prevent immediate and real harm to self or others. Five point restraints may be used only after other lesser forms of restraint have failed.

D. 15. Mandatory

All correctional officers shall be familiar with the facility's locking system(s) and shall be able to release and evacuate inmates from the facility using both the facilities electronic and manual locking system.

D. 16. Mandatory

A system shall govern the control and use of all keys and electronic scan cards . At a minimum, this shall include:

- a. Secure storage of keys and cards when not in use;
- b. A complete, up-to-date, written master inventory of all scan cards and keys, including key and scan cards identification and corresponding lock(s) and the key(s)' locations;
- c. Check-out and check-in system;
- d. At the change of a shift, an accounting of all keys assigned to a post or keys checked out;
- e. At least annually, testing of all keys and their corresponding locks to ensure they are operating properly. The results shall be documented including any corrective action taken.
- f. Procedures that restrict staff from carrying keys or scan cards to locks inside the facility perimeter except in emergency situations or for training purposes.
- g. A staff person authorized to review and approve duplications of security keys and scan cards.

D. 17. Mandatory

All facility locking systems shall be maintained and be operable at all times.

D. 18. Mandatory

A system shall be maintained to govern the control and use of tools and cutlery items inside the secure perimeter. Such items shall be accounted for daily and shall be securely stored and distributed by a check-out, check-in system.

D. 19.

Searches of the facility, personnel, civilians, and inmates to control contraband and maintain security should be governed by written practices. At no time are searches to be used to intimidate, degrade, harass, or punish inmates, staff, or civilians.

D. 20.

All inmates should be searched when entering the facility's secure perimeters.

D. 21.

Strip searches should be conducted in compliance with the rules promulgated by the Maine Attorney General.

D. 22.

Body cavity searches, other than searches of the mouth, should be conducted in compliance with the rules promulgated by the Maine Attorney General.

D. 23.

All items brought to or received by a facility for an inmate(s), should be subject to search.

D. 24.

The administrator should have random searches of inmate-occupied areas conducted on an ongoing basis. Such searches should be recorded in a facility log.

D. 25.

The administrator should have a complete facility shakedown conducted on at least a semiannual basis. Such searches should be recorded in a facility log.

D. 26.

Searches of inmate areas should be conducted in a reasonable manner, protect property and leaving the area in good order.

D. 27.

When possible, inmates should be present when their cells or dorms are searched.

D. 28. Mandatory

The administrator shall implement a system to formally account for and identify the location of all inmates they are responsible for who are in the facility, on escape status, participating in release programs, or housed in other facilities, e.g., other jails, hospitals, annex. At a minimum, inmate counts shall be conducted at least once during each shift and verified by supervisory staff as part of shift change. The results of all counts shall be logged. The administrator shall establish a system for documenting the housing and/or cell assignment of all inmates within their facility or annex, on a daily basis

D. 29.

In those facilities with Emergency Response or Special Tactical Teams, there should be written policies and procedures on the teams' organization, qualifications, training, use, and equipment.

E. STAFFING AND INMATE SUPERVISION

E. 1. Mandatory

Non-deadly force by a correctional officer shall be limited to the use of a reasonable degree of force when and to the extent reasonably believed necessary to:

- a. Defend oneself or a third person;
- b. Prevent escape;
- c. Stop self injury; or
- d. Enforce the rules and regulations of the facility.

Any use of non-deadly force shall be documented in a written report to the facility administrator by the officer(s) involved. At a minimum, this report shall include:

- a. A description of the incident in which force was used and justification of the same;
- b. The type of force used by whom against whom;
- c. The date and time; and
- d. Medical attention/treatment provided.

E. 2. Mandatory

Use of deadly force by a correctional officer shall be governed by written policies and procedures in compliance with Maine Statutes and shall be used only when the correctional officer reasonably believes such force is necessary:

- a. To defend the officer or a third person from what the officer reasonably believes is the imminent use of deadly force; or
- b. To prevent the escape of a person when the officer reasonably believes that the person has committed a crime involving the use or threatened use of deadly force, is using a dangerous weapon in attempting to escape, or otherwise indicates that the person is likely to seriously endanger human life or to inflict serious bodily injury unless apprehended without delay; and

- 1. The officer has made reasonable efforts to advise the person that the officer is an officer attempting to prevent the escape and the officer has reasonable grounds to believe that the person is aware of this advice; or**
- 2. The officer reasonably believes that the person otherwise knows that the officer is a correctional officer attempting to prevent the escape.**

Any use of deadly force shall be fully investigated and documented in a written report to determine compliance with Maine Statutes.

E. 3. Mandatory

There shall be sufficient full-time certified correctional staff to perform all functions related to the security, custody, programs, and supervision of all inmates and the operation of the facility in compliance with Maine Standards for Jails. Each facility shall complete annually and submit to the Department of Corrections, Inspections Division, a Staffing Inventory (see sample Appendix D) including all security, custody, program, support and administrative positions.

E. 4. Mandatory

A staffing analysis should be conducted by each administrator establishing a staffing plan that details staff assignments, staff levels, and staff patterns for the facility. Staffing plans shall be submitted to the Department of Corrections so it may establish minimum staffing levels for new facilities. Any proposed changes to the use or operations of a facility that may affect the staffing levels approved shall be submitted to the Department of Corrections for review and approval. Staffing plans shall be submitted on a form provided by the Department of Corrections.

E. 5.

Facility staffing levels may include trained, part-time correctional officers working under the direction of an on-duty, certified correctional officer.

E.6.

The administrator or assistant administrator should visit all areas of the facility on at least a weekly basis. Shift Supervisors should visit all areas of the facility on a daily basis during their respective shifts. The purpose of such visits should be to have contact with staff and inmates in the working/living environment in order to identify problems/concerns. Such visits should be logged.

E. 7. Mandatory

No correctional officer shall enter a high-risk security area unless the area is monitored and back-up staff is available to assist and intervene.

E. 8. Mandatory

Facilities designed with visual surveillance equipment monitored by staff of the opposite sex, if used in inmate toilet, cell, or shower areas, shall be located to preserve inmate rights of privacy.

E. 9.

Inmates should be prohibited from supervising, controlling, exerting influence or assuming any authority whatsoever over other inmates.

E. 10.

Supervision of female inmates by male correctional officers and male inmates by female correctional officers should be accomplished in a manner that attempts to preserve the privacy of inmates and staff.

E. 11. Mandatory

Correctional officer posts shall be designed and located to permit officers to hear and respond promptly to problems in inmate-occupied areas.

E. 12. Mandatory

All inmates shall be personally supervised by a correctional officer(s) within the following minimum time intervals:

- a. Every 60 minutes for Minimum Security inmates;
- b. Every 30 minutes for Medium Security inmates;
- c. Every 15 minutes for Maximum Security inmates, disciplinary, pre-hearing detention, administrative segregation, protective custody, mental health, and escape risk inmates;
- d. More frequent for supervision of inmates as needed on a case by-case-basis, such as those who may pose a risk of suicide, escape, or violence;
- e. Observation with the ability to immediately intervene in the case of inmates who are out of control, attempting suicide, or intoxicated;

In facilities designed with direct supervision units for general population, correctional officers shall be assigned and present in the units on a continuous basis during waking hours. In cases where an inmate may be exhibiting signs of withdrawal, lack of control, suicidal behavior, or pose some other risk to self or others, correctional staff shall notify his/her supervisor and take immediate action to ensure the safety of the inmate and others until evaluated by medical or mental health professionals.

E. 13.

Sentenced inmates granted a position of trust pursuant to Maine statutes, should be supervised when outside of their living areas.

F. ADMISSIONS AND RELEASE OF INMATES

F. 1.

The facility admitting officer, at a minimum, identifies the arresting or committing officer and verifies that he/she provides proper documentation for the admission. This includes proper documentation in cases where a person is brought to the facility prior to an appearance in court.

F. 2.

If any inmate is unconscious or shows sign of or complains of other serious injury or wounds, and the inmate is not being held or committed by order of a court, the inmate may not be held at the facility until the arresting/transporting officer has secured written documentation from a physician that the inmate was examined and/or treated, or the inmate or physician's refusal to treat or be treated.

F. 3.

At a minimum, the admitting officer conducts a complete and thorough pat search of all individuals being admitted. The admitting officer should conduct strip searches in compliance with the rule promulgated by the Maine Attorney General.

F. 4. Mandatory

The Intake Screening Form (see sample Appendix E) shall be completed for each inmate during the admission process. These screening forms shall be completed by trained correctional staff or the facility medical/mental health provider. Training in intake screening for correctional staff shall be reviewed and approved, in writing, by medical/mental health professionals.

F. 5. Mandatory

In cases where an inmate may be exhibiting signs of withdrawal, lack of control, intoxication, suicidal ideation/behavior, or poses some other risk to self or others, the admitting officer shall notify his/her supervisor and take immediate action to help ensure the safety of the inmate and others until the inmate can be evaluated by medical or mental health professionals.

F. 6.

An Admission/Release Form should be completed on each inmate admitted and include, at a minimum, the information found in the Sample Admissions/Release Form in Appendix F.

F. 7.

A photograph should be taken of all new inmate admissions or when an existing photograph of an inmate in the inmate file is no longer a likeness of the inmate.

F. 8.

Pre-trial detainees should be allowed to communicate with their family and/or attorney by completing at least two unmonitored phone calls as a part of the admission process.

F. 9.

Pre-trial detainees for whom bail has not been set should be provided the opportunity to have bail set as a part of the admissions process.

F. 10.

After the booking process is completed, inmates to be housed should be required to disrobe and shower, and his/her clothing and personal effects inspected for possible contamination by vermin. If

there is an indication of vermin contamination, disinfecting and delousing procedures as prescribed by medical staff in a standing order should be carried out. Disrobing and showering practices shall be conducted in a manner that ensures the privacy and dignity of the inmate. The purpose of this standard is to help prevent contamination and is not to be used as an opportunity to conduct a strip search.

F. 11.

Each inmate should be assigned to initial housing according to his/her immediate security risk, physical and mental condition, and all known relevant information.

F. 12.

Inmates should be provided clothing, when necessary, to include:

- a. Pants, shirt or one-piece suit;
- b. Underwear, appropriate by sex;
- c. Appropriate footwear; and
- d. Jacket or coat, seasonal.

F. 13.

The inmate should be provided with the following bedding and linen:

- a. A mattress, certified to be flame-resistant, non-toxic, and of the appropriate size;
- b. Two sheets, or one mattress cover and one sheet;
- c. Blankets in sufficient numbers; and
- d. One towel.

F. 14. Mandatory

Inmates whom do not have personal hygiene items shall be provided with the following:

- a. Individual Toothbrush;
- b. Toothpaste (access to);
- c. Soap
- d. Individual razors (access to);
- e. Shaving cream or soap (access to);
- f. Personal feminine and hygiene items (access to); and
- g. Toilet paper (access to).

F. 15.

All money and valuables, including medications, should be taken from the inmate as part of the booking process and should be securely stored. An itemized inventory should be completed and signed by the inmate and officer at the time items are taken and returned. A copy of the inventory should be given to the inmate at the time of admission and a copy placed in the inmate file.

F. 16.

Clothing taken from an inmate should be cleaned and disinfected before being placed in storage.

F. 17.

Each inmate should be provided an orientation to the facility, its rules and regulations, programs, and services. Written orientation materials should be provided to the inmate as part of the admissions process. These materials should include, at a minimum:

- a. Inmate rules and regulations, including sanctions;
- b. Inmate disciplinary procedures;
- c. Inmate grievance procedures;
- d. Access to medical services;
- e. Access to legal material;
- f. Access to other programs and services;
- g. Method(s) for making requests;
- h. Daily activity schedule; and
- i. Any other materials necessary to help the inmate understand and adapt to the routine of the facility.

If staff becomes aware that an inmate cannot read, orientation materials should be read to the inmate by a staff member or played for the inmate on video or audio tape. For inmates who do not speak English, orientation should be provided in their own language as soon as possible. Inmates should be required to verify receipt of orientation in writing.

F. 18.

At a minimum, release procedures should include:

- a. Positive identification of the inmate to be released;
- b. Verification of the authority to release;
- c. Verification, as far as possible, that there are no outstanding warrants or other holds on the inmate to be released;
- d. Completion of other release documentation;
- e. Verification of receipt of facility property on a form signed by the officer;
- f. Verification of release of inmate property on a form signed by the inmate.

G. INMATE CLASSIFICATIONS

G. 1. Mandatory

Each facility shall have a Classification Specialist or a staff member trained in classification techniques and theory who is responsible for the administration of classification procedures.

G.2.

A written system of classification should provide for and define each level of inmate classification. Inmate classification levels should include, at a minimum:

- a. Special management inmates;
- b. Maximum Security inmates;
- c. Medium Security inmates;
- d. Minimum Security inmates; and
- e. Community-based inmates

G. 3

Each classification level should define the:

- a. Level of risk/danger posed to staff, inmates, and community;
- b. Housing assignment;
- c. Level of staff supervision;
- d. Type of program participation (individual or group);
- e. Access to services, if allowed;
- f. Type of work assignment allowed;
- g. Type of visitation allowed;
- h. Allowable movement within and outside the facility: and
- i. Program needs of the inmate

G. 4.

The facility classification system should involve collecting information on each inmate and verifying information where possible. The classification process shall be consistently applied by all staff. The basis for all classification decisions shall be described in writing.

G. 5. Mandatory

An inmate's race, sex, color, creed, religion, sexual orientation, age, or national origin shall not be the basis for classification decisions.

G. 6

The classification process should provide for:

- a. Notice of classification level;
- b. Opportunity to respond;
- c. Reason(s) or justification for the classification level assigned; and
- d. Opportunity to appeal a classification assignment.

G. 7.

Re-classification to a higher security level should provide the same due process procedures as outlined in Standard G.6.

G. 8.

An initial classification of each inmate should be completed within 72 hours of admission. The classification level of each inmate and his/her current status should be reviewed within 15 days of admission and at least every 90 days thereafter.

G. 9.

Inmates should be permitted to request a review of their classification assignments, but not more frequently than every 60 days.

H. INMATE SEPARATION

H. 1. Mandatory

Female inmates shall be provided cells and dayroom areas which are separated by sight and audible sound and which provides privacy from male inmates.

H. 2. Mandatory

The detention of a juvenile in an adult facility shall comply with the restrictions on the placement of juvenile detention outlined in Maine Juvenile Code. Juveniles processed, held, detained, or housed in adult facilities shall be separated by sight and sound from the adult inmate population. When common support areas and corridors are used, scheduling and operational practices shall prevent contact of juveniles with adult inmates. (Such practices shall be described in the facility manual under Policy Section G., Juvenile Detention.)

H. 3 Mandatory

A written plan shall indicate the areas of each facility in which inmates must be separated. Consistent with the plan, the following separations of inmates must be provided:

- a. Adult from juvenile;
- b. Males from females, with the exception of program and service areas;
- c. Protective custody and special management inmates from general facility population;
- d. Maximum security from medium and minimum security; and
- e. Holding (up to 72 hours) from long-term.

H. 4. Mandatory

Inmates shall be housed only in facilities licensed by the Department of Corrections and within established rated capacities and, any required special conditions.

I. INMATE DISCIPLINE

I. 1.

There should be two categories of inmate misconduct that may result in disciplinary action: infractions and offenses.

- a. **Infractions** are breaches of written facility rules and regulations for which a variety of sanctions may be imposed.
- b. **Offenses** are acts which are criminal under the laws of Maine and/or the United States and which may be referred for criminal prosecution.

I. 2.

Infractions are categorized as of minor infractions and major infractions.

- a. **Minor infractions** are infractions for which the maximum penalty is deprivation

or limitation of privileges for no more than 48 hours, if the minor infraction is handled informally.

Minor infractions may be handled informally by a verbal reprimand, warning or counseling by a staff person; assignment of extra work; or deprivation or limitation of privileges for no more than 48 hours. In these cases, procedures should include:

1. Documentation of the date and time of the specific infraction; the staff person and inmate involved and the penalty imposed; and the staff person imposing the penalty.
2. Inmate notification of the minor infraction; penalty to be imposed; and the fact of the inmates and/or impartial supervisor's agreement with the penalty to be imposed prior the imposition of the penalty.

b. Major infractions and Offenses are infractions and offenses which are handled formally and for which the possible sanctions include the limitation or deprivation of any privilege for more than 48 hours, restitution, disciplinary segregation, and loss of sentence deductions and which are handled formally. These same sanctions may be imposed for minor infractions handled formally. Formal handling includes at a minimum:

1. A written disciplinary report, written within 24 hours of the incident or staff becoming aware of the incident, to include:
 - a. Description of the incident, specific rule violated, and any immediate action taken;
 - b. Names of any witnesses;
 - c. Disposition of any evidence;
 - d. Signature of the reporting staff person, date, and time.
2. Unless there are exceptional circumstances requiring delay, a review, begun within 48 hours of the report, not including weekend or holidays, to determine whether the alleged infraction or offense is to be dismissed or the inmate is to be charged and the alleged infraction referred to the disciplinary board or disciplinary officer. In either case, the reviewing officer should complete a written report of his/her findings.
3. Providing the inmate within 48 hours after he or she is charged, a copy of the disciplinary report. The inmate should receive the report at least 24 hours prior to the disciplinary hearing unless the 24 hours notice is waived by the inmate.
4. A disciplinary hearing, before a person or persons not directly involved in the incident, conducted within 30 days of the incident or staff becoming aware of the incident.
5. A written copy of the board's or officer's findings and the sanctions imposed, if any.
6. Notification of the inmate's right to appeal to a designated person within 10 days of receipt of the board's or officer's finding. The person reviewing the appeal should consider the following:
 - a. If there was substantial compliance with disciplinary procedures;
 - b. If the decision was based on facts and evidence presented; and
 - c. If the sanction imposed is proportionate to the infraction.

A decision on an appeal should be rendered within 30 days of receipt of the appeal.

I. 3

Inmates should be provided the following due process rights in matters referred to for formal disciplinary hearing:

- a. Written notice of the charge;
- b. Right to an impartial hearing;
- c. Right to be present at the hearing unless he/she waives, in writing, this right or his/her behavior justifies his/her absence or removal. Such absence or removal shall be documented;
- d. The right to call witnesses to the incident, other relevant witnesses, and present relevant evidence;
- e. The right to be represented by consenting staff or another inmate;
- f. The right to question witnesses through staff;
- g. Written notification of the board's or officer's findings; and
- h. The right to appeal the board's findings.

I. 4.

If an inmate is found not guilty or the charge is dismissed, all reference to the disciplinary process should be expunged from the inmate's file.

I. 5. Mandatory

Inmates may be placed in disciplinary segregation only after being found guilty of a violation and as a result of a disciplinary hearing. Inmates in disciplinary segregation shall be allowed access to the inmate grievance process and to the courts.

I.6. Mandatory

Inmate rules and regulations shall specify which rules and regulations are minor infractions, major infractions, or offenses. A copy of inmate rules and regulations shall be provided at admissions.

I. 7.

The jail administrator should specify the limitations on the furnishings and personal property that inmates may retain in disciplinary segregation, as well as limitations on other privileges.

I. 8.

The administrator should periodically review disciplinary cases to determine compliance with established disciplinary policies and practices.

J. SPECIAL MANAGEMENT INMATES

J. 1.

When it is necessary to place an inmate in administrative segregation, the highest ranking supervisor on duty should be notified at once, and the administrator should be notified as soon as practical.

- a. The supervisor should review the justification for administrative segregation in order to determine if administrative segregation is required to protect the inmate from harm or from harming self or others, or is necessary to maintain the safety and security of the facility.
- b. All cases of inmates placed in administrative segregation should be documented in an incident report, including the reason and justification for administrative segregation.
- c. Administrative segregation does not include segregation for disciplinary reasons.
- d. Administrative segregation should be reviewed by shift supervisors at least every 7 days to determine if the inmate's behavior continues to pose a threat.

Release of an inmate from administrative segregation should be by a supervisor. The date, time, and reasons for release should be documented by the supervisor and the documentation placed in the inmate's file.

J. 2. Mandatory

Inmates placed in administrative segregation shall have access to programs and services available to the general inmate population. Where the inmate poses a real and immediate threat of harm to self, staff or others, access may be restricted, with the exception of medical or mental health treatment, for as long as necessary to lessen the inmate's behavior to a manageable level.

J. 3. Mandatory

Any cell used for segregation shall be as large as any other cell of similar capacity in the facility. The cell will be clean, well-lighted, and have adequate heat and ventilation. There shall be a toilet, water for drinking and washing, and bedding. An inmate may be moved to an unequipped or specially equipped cell only if it is necessary to prevent suicide or other self-destructive acts, injury to others, or to prevent damage to a cell, its furnishings, or equipment.

J. 4.

Segregated inmates should receive the same meals as those provided to the rest of the jail population. In cases where the inmate's behavior warrants, a substitute meal of equal nutritional value may be provided with written authorization from the Administrator, or designee documented in an incident report.

J. 5. Mandatory

An inmate in segregation shall not be deprived of regular clothing or bedding except when the inmate poses a real and present danger to himself/herself. Special clothing and bedding designed to prevent

suicide/self harm shall be provided as a substitute for regular clothing and bedding. Anything that could be used for self-destruction shall be removed from a self-destructive or suicide-prone inmate.

J. 6. Mandatory

Except when the inmate poses a real threat of harm to self or others, a segregated inmate shall be able to maintain the same level of personal hygiene as the general population.

J. 7. Mandatory

Inmates in segregation shall be given opportunities for exercise and shall have the same rights as the general population to mail, reading material, and access to legal materials.

J. 8. Mandatory

Visiting privileges shall not be denied to inmates in administrative segregation except in unusual circumstances and for specific reasons. Any exception and justification for the exception shall be recorded.

J. 9. Mandatory

Access to the courts may not be denied to inmates in segregation.

K. INMATE COMMUNICATIONS

K. 1.

The length, source, or volume of mail an inmate may send or receive should not be limited, except where the administrator determines that there is clear and convincing evidence to justify such limitation. Justification for any limitation or restriction will be documented in the inmate's file.

K. 2.

Incoming and outgoing inmate mail, should not be read or censored except where a reasonable belief of a threat to the safety or security of the facility, staff, inmates, public officials, or a member of the general public justifies such activities. In cases where mail is read or censored, a written incident report should be completed and include justification for such action. Incident reports shall be kept on file.

K. 3.

Incoming inmates' mail may be inspected for the purpose of intercepting contraband. Incoming mail from attorneys, courts, or government officials may be opened in the presence of the inmate concerned and only to inspect for contraband.

K. 4.

All outgoing mail should be left sealed by the facility except under the conditions of Standard K.2.

K. 5

Incoming mail should be delivered to the inmates by the next business day of delivery to the facility. Outgoing mail should be delivered to the postal service each business day.

K. 6.

Facilities should identify and stamp all outgoing inmate mail as being sent from a detention or correctional facility.

K. 7.

If any publication, correspondence, contents of a package, or any other item is withheld by the facility, the inmate for whom the item(s) is intended should be notified in writing of the item(s) withheld, the reasons for withholding the item(s) and disposition of the item(s). The only exception to this requirement is when an item(s) has been confiscated for an inmate's possible prosecution, and continuity of evidence must be maintained, or other reasons related to the prosecution prevents notification.

K. 8.

Indigent inmates should be provided with writing supplies and postage in an amount allowing them to send at least three, one ounce, first class letters weekly.

K. 9. Mandatory

Indigent inmates shall be provided with writing supplies and postage for the purpose of corresponding with attorneys, courts, and the Maine Department of Corrections Inspection Division. The amount of writing supplies for this purpose and postage shall not be limited.

K. 10. Mandatory

Inmates shall have the right to visit with attorneys or the attorneys' authorized representatives, subject only to limitations necessary to maintain a safe and secure facility. Confidential visits and access to attorneys and their attorneys' authorized representatives should be provided during normal business hours.

K. 11.

Facilities should establish procedures governing visits by ex-inmates.

K. 12. Mandatory

Each facility shall provide suitable visiting areas necessary to provide scheduled visiting for the number of inmates housed at the facility.

K. 13.

The administrator should establish a visiting schedule which includes opportunities for at least two hours each week for the privilege inmates to visit with family and friends, to include at least one weekend day and one evening during the week. The facility shall provide for special visits outside of visiting hours when necessary.

K. 14.

The number of visitors an inmate may receive at any one time should be limited only by facility space constraints.

K. 15.

Written visiting rules governing visitors' conduct and responsibilities should be conspicuously posted in visiting or public waiting areas. A visit may be refused or terminated if there has been a violation of visiting rules or there is reasonable belief that the visitor poses a threat to the safety or security of the facility, staff, or inmate. Any refusal or termination of a visit should be documented with justification in the inmate file.

K. 16.

Inmate visits with family and friends should be conducted under staff supervision. In the absence of a substantiated security risk, and consistent with the inmate's classification, visits should include the opportunity for physical contact.

K. 17

Video visitation may be provided as a part of the facility's visiting program as follows:

- A. At a minimum, one hour of contact visiting every other weekend must be provided by the facility for minimum and medium security inmates;
- B. Non Contact visits for inmates who pose a substantiated security risk may be through video conferencing;
- C. Video visiting may be used as a substitute for visits with attorneys, legal, or religious advisors and the Maine Department of Corrections, when consented to by both visiting parties. When video visits are conducted with attorneys, clergy, and other professionals, these visits shall be treated as confidential visits;
- D. Those facilities utilizing video conferencing to conduct visits need to maintain sufficient equipment, hardware, software, and networks necessary to provide a fully functioning video and audio conferencing system;
- E. Those facilities utilizing video conferencing should include visiting rules and regulations, a schedule for video visits, a list of available remote off-site hosts where an inmate's family or friends have video conference access with the facility according to a schedule established by the facility.

K. 18.

Persons under the age of 18, except for emancipated minors, should not be permitted to visit with an inmate(s) unless accompanied by, or with written permission from, the person's parents or legal guardian.

K. 19.

When a visit has been denied or an inmate has refused to participate in a visit, facility staff should document the reason(s) in the facility visiting record.

K. 20.

Facilities should maintain written records of all inmate visits. Records should include:

- a. the name of the inmate and visitor(s);**
- b. the date;**
- c. the time visits begin and end; and**
- d. any other pertinent information.**

K. 21. Mandatory

Every inmate shall have unrestricted and confidential access and communications with the courts. Such access may be through video conferencing. Inmates shall have the right to present any issue before a court of law or governmental agency. Such access shall include:

- a. An inmate has the right to consult with his/her attorney or the attorney's authorized representative, at the facility, as often and as long as necessary. If an inmate poses a real and present risk of violence or escape, visits may be conducted under staff observation, but conversations may not be monitored.**
- b. The right of consultation with an attorney or the attorney's authorized representative shall include the exchange of correspondence between an inmate and his/her attorney or authorized representative. Letters to an attorney or the attorney's authorized representative shall be mailed without examination or censorship. Incoming mail from an attorney to inmate may be examined only in the presence of the inmate and solely for the detection of contraband.**
- c. The right of access to courts includes the right to prepare and file legal papers with the court. In doing so, an inmate is entitled to receive assistance from law school legal assistance programs, legal assistance agencies, and/or law library facilities.**

K. 22. Mandatory

Inmate grievance procedures shall be implemented and must include, at a minimum, provisions for the following:

- a. Access by all inmates, with guarantees against reprisals;**
- b. Applicability over a broad range of issues;**
- c. A system of accountability, including providing a written receipt to the inmate filing the grievance;**
- d. Review of all grievances; and**
- e. Written response to all grievances within a prescribed, reasonable, time limit.**

K.23 Mandatory

Inmates shall have unrestricted access to file alleged complaints of non-compliance with mandatory standards against a jail facility with the Maine Department of Corrections, Inspections Division, when a condition or issue is not resolved through the facility grievance process.

L. MEDICAL AND MENTAL HEALTH SERVICES

L. 1. Mandatory

Each facility shall provide inmates with medical and mental health services. Such services shall be pursuant to a written agreement with a medical mental health provided who shall be responsible for providing these services to inmates in coordination with the Jail Administrator. Such written agreements shall comply with applicable standards.

L. 2. Mandatory

All state licensing, registration, and/or certification requirements and restrictions shall apply to health care and mental health personnel working in or for the facility. Copies of all up-to-date licensing, registration, and/or certification shall be provided to the facility and kept on file in the facility.

L. 3. Mandatory

Emergency medical, dental, and mental health care shall be available to inmates at all times.

L. 4.

Health care and mental health provider(s), should, in consultation with the Jail Administrator, review and approve written procedures and protocol for health care and mental health services. At a minimum, these should include:

- a. Emergency medical services;
- b. Non-emergency medical services;
- c. Emergency mental health services;
- d. Non-emergency mental health services;
- e. Mental health assessment;
- f. Shift briefing and/or consultation between correctional staff and medical/mental health providers of inmate;
- g. Management of pharmaceuticals;
- h. Physical exam;
- i. Administering/self-administration of inmate medication;
- j. Emergency dental care;
- k. Provisions for chronic and/or convalescent care;
- l. Provisions for close medical review and care of special management inmates;
- m. Delousing procedures;
- n. Detoxification procedures (alcohol and drug withdrawal treatment);
- o. Release of information from medical records;
- p. Management of infectious disease;
- q. Control of syringes, needles and other sharps;
- r. First-aid;
- s. At admissions, medical and mental health screening (See Appendix E for example);
- t. Collection of medical and mental health history; and

- u. Suicide prevention training, procedures, and protocols, and medical or mental health concerns raised during the previous shift.

L. 5.

The administrator, in conjunction with the health care provider, should determine the space, equipment, supplies, and materials necessary for the delivery of health care services in the facility.

L. 6.

The health care providers should, at least annually, review the inmate health care system and provide the administrator with a written report on the results of their review and recommendations for change, if any.

L. 7 Mandatory

The death of an inmate shall be reported to the Department in accordance with the protocols established by the Maine Attorney General's Office. (see Attorney General rules Appendix G)

L. 8. Mandatory

Inmate requests or staff requests on behalf of an inmate for routine medical/mental health attention shall be collected daily. In the case of an emergency request for medical/mental health attention, the shift supervisor shall promptly communicate the emergency through the most direct means to the service provider. The health care provider shall determine the appropriate emergency action to be taken to safeguard the inmate and communicate the same to the shift supervisor. Non-medical/mental health personnel shall never diagnose or treat an illness or injury except to provide emergency first aid.

L. 9. Mandatory

The health care provider shall conduct sick call at least once each week, at which time inmates may report non-emergency injuries and illness and receive appropriate medical treatment.

L. 10. Mandatory

Inmates shall be given physical examinations by qualified medical staff within fourteen days of admissions. The physical exam shall be documented on a form approved by the health care provider. Completed physical examination forms shall be placed in the inmate's medical file. An inmate's refusal of a physical exam shall be documented in the inmate's medical file by the health care provider.

L. 11. Mandatory

Inmates suspected of having contagious or infectious diseases shall be isolated immediately from the general jail population until jail personnel are directed to do otherwise by the health care provider.

L. 12. Mandatory

All prescription medication shall be administered in accordance with Maine statute by qualified health care personnel. Procedures shall be in place for inmate self-administration of prescription medication and administration by others when qualified health care personnel are not available. Any personnel administering prescribed medication are required to have completed training from health care personnel on proper procedures for administering prescribed medication. A record of all prescription medications administered shall be maintained and include the following:

- a. the name of the inmate;
- b. the initials of the staff person administering or observing the
- c. inmate self administering the medication;
- d. the date and time administered;
- e. the name of the medication administered and dosage; and
- f. the inmate's refusal of medication, if applicable.

In those cases where the medical provider has determined that medication is to be kept by the inmate for self administration on an as needed basis, documentation shall be maintained to include.

- a. reason for self administration;
- b. the name of the inmate; and
- c. name; date and time, quantity, and dosage provided

L. 13. Mandatory

All medication shall be labeled in accordance with state and federal law.

L. 14. Mandatory

Dental care and treatment, not limited to extractions, shall be provided to inmates when the health of the inmate during confinement would otherwise be adversely affected.

L. 15.

The health care provider should determine strategic locations for first-aid kits and determine their contents. Medical staff should establish a procedure to inspect first-aid kits and document the inspection at least quarterly. First-aid kits should be kept complete at all times.

M. FOOD SERVICES

M. 1.

There is documentation that the facility's dietary allowances are reviewed by a qualified nutritionist or dietitian to ensure that they meet the nationally recommended allowances for basic nutrition. Menu evaluations should be conducted at least semi-annually by facility food service manager to verify adherence to the established daily dietary requirements.

M. 2.

Changes in menus should be documented and substitutions should be of equal nutritional value.

M. 3.

Menus should be posted in the food service area and areas accessible to inmates.

M. 4. Mandatory

All food service areas shall be inspected and licensed by the Department of Human Services annually. Food service managers shall inspect food service areas daily to ensure these areas comply with health codes.

M. 5.

The food service area and food preparation should be managed under the direct supervision of a staff person who is qualified by experience and/or training.

M. 6.

Prior to inmates being assigned to food service work, they should be screened by health care staff to insure they are capable of performing the work and free of infectious diseases. Screening by health care staff should be documented and placed in the inmate's medical file.

M. 7.

All meals should be served under the direct supervision of a staff member to prevent favoritism, careless serving, and waste.

M. 8. Mandatory

Three meals, at least one which is hot, shall be served daily. There shall not be a span of more than 14 hours between the evening meal and breakfast.

M. 9.

Procedures should ensure hot food is served hot and cold food is served cold. Hot foods should be served at a minimum of 140 degrees F.

M. 10.

Appropriate eating utensils should be issued as needed to each inmate unless doing so would pose a real and immediate danger to staff or inmates.

M. 11.

A system to account for all eating utensils issued and returned at each meal should be maintained.

M. 12. Mandatory

Food shall not be withheld from inmates as punishment.

M. 13. Mandatory

Orders by health care personnel for special diets to inmates shall be in accordance with written instruction from the health care staff or a qualified dietitian or nutritionist.

M. 14. Mandatory

Provisions shall be made for special diets when an inmate's religious beliefs require adherence to particular dietary practices.

M. 15.

Space should be provided for group dining, except where security or safety considerations justify otherwise.

M. 16.

The Food Service Manager should maintain complete and accurate records for a minimum of one year of all meals served to inmates and staff to include:

- a. menus, including portion sizes;
- b. by whom prepared;
- c. date/time served;
- d. number of meals served;
- e. any special diets served; and
- f. any deviation from an established menu.

M. 17.

The Food Service Manager should maintain an ongoing inventory system to account for all food products and supplies.

M. 18. Mandatory

A daily sanitation inspection of all food service areas and equipment shall be conducted by food service personnel. The results of this inspection shall be documented and kept on file for one year.

M. 19. Mandatory

The Food Service Manager shall keep, for a 48-hour period, a ghost tray identical to each meal served.

M. 20. Mandatory

The Food Service Manager shall maintain a check-out, check-in system and secure storage for all cutlery items.

N. INMATE ACTIVITIES AND SERVICES

N. 1.

If the administrator makes arrangements to provide inmates access to commissary services, pricing for items sold through the inmate commissary should not exceed the average retail pricing found in the community for that item.

N. 2. Mandatory

The administrator shall establish an inmate benefit account that includes profits made through the sales of commissary. Use of funds in this account shall be approved by the Jail Administrator to directly benefit the inmate population. Inmate benefit funds shall not be used to expand, reduce, or supplement a facility's operational budget.

N. 3.

A separate accounting of all inmate benefit funds should be maintained that meets accepted accounting practices to include an annual audit.

N. 4. Mandatory

Indigent inmates shall be provided, without charge, commissary or other items specifically authorized by the administrator.

N. 5.

A library should be maintained at each facility which consists of:

- a. fiction;
- b. nonfiction;
- c. educational materials.

N. 6.

Library services should be made available to inmates at least twice weekly.

N. 7. Mandatory

In cases where a facility provides legal reference materials through a law library outside the facility, the facility shall have the latest edition of the following minimum legal reference materials available at the facility for inmate use:

- a. MRSA Titles 15, 17-A, 29, 30-A, and 34-A;
- b. U.S. and State Constitutions;
- c. Black's Law Dictionary;
- d. Maine Rules of Court;
- e. Federal Rules of the Court;
- f. La Fave & Scott, Criminal Law;
- g. Cohen Legal Research;
- h. Palmer's Constitutional Rights of Inmates;
- i. Detention & Correctional Standards for Counties & Municipalities; and
- j. Prisoner Self-Help Litigation Manual, Manville.

In cases where a facility maintains a law library, that library shall contain legal materials sufficient to meet constitutional requirements.

N. 8.

A television should be provided in each day room area for the privilege of viewing by the inmate population.

N. 9. Mandatory

Inmates shall have access to at least one hour of major muscle exercise programs and/or equipment, outside of their cell, at least five days per week except where safety and security considerations justify otherwise. When weather permits, exercise shall be provided outdoors in a secure recreation area. In cold weather, appropriate outdoor clothing shall be provided.

N. 10.

Each facility should maintain a Plan of the Day, which outlines inmate activities for each day of the week. Plans of the Day should be posted in areas to which inmates have access and include at a minimum:

- a. Wake up;
- b. Meals;
- c. Housekeeping/work assignments/inspection;
- d. Medication;
- e. Sick call;
- f. Mail call;
- g. Visitation;
- h. Program activities;
- i. Counts; and
- j. Lock down/lights out.

N. 11.

Pretrial detainees should not be required to work except to do personal housekeeping.

N. 12. Mandatory

Every inmate shall be allowed to practice the religion of his/her choice and shall have access to services, publications, religious symbols, and religious advisors, including the opportunity for

visits, subject to the considerations of facility order, security, and safety. Inmate participation in religious activities shall be voluntary.

N. 13.

The administrator should designate a coordinator for facility religious programs. He/she should have access to all areas of the facility. Space should be provided for such programs.

O. INMATE PROGRAMS

O. 1. Mandatory

The administrator shall designate a staff member to be responsible for assessing inmate program needs and coordinating the delivery of such programs to inmates.

O. 2.

Where feasible, the release preparation program should provide for graduated release through a systematic decrease in supervision and corresponding increase in inmate responsibility. Release preparation programs should include the use of work/educational release, furloughs, community residential facilities, electronic monitoring, day reporting, and other temporary release programs.

O. 3. Mandatory

Access to mental health and substance abuse programs and services shall be provided to inmates to include, at a minimum:

- a. Substance abuse: identification, detoxification, referral and/or treatment.
- b. Mental health services: crisis intervention and evaluation, stabilization, treatment and follow-up.

O. 4.

All personnel should be familiar with therapeutic programs available to inmates so that they may refer inmates to appropriate services.

O. 5.

Academic education courses and education counseling extending through the high school level should be available.

O.6 Mandatory

Each jail facility shall develop and maintain community based programs diversion and alternative sentencing program for use minimum security pre-trial and sentenced inmates.

P. RELEASE PROGRAMS

P. 1.

Release programs should include provisions for the following:

- a. Eligibility for participation limited to sentenced inmates with classification levels that pose minimal risk to the community;**
- b. Written conditions, rules, and regulations for inmate conduct signed by the inmate;**
- c. A system for inmate supervision, monitoring, and spot checks;**
- d. Records documenting an inmate's eligibility and participation in temporary release programs; and**
- e. Collection and disbursement of wages, income, and restitution as well as maintenance of records that meet acceptable accounting practices.**

P. 2.

To the extent possible, inmates participating in temporary release programs should be housed separate from the general jail populations. Where possible, housing may be in a community-based residential setting.

Q. SANITATION AND LIVING CONDITIONS

Q.1. Mandatory

The facility shall comply with existing local and state sanitation and health codes. Facilities shall be inspected at least annually by a local health code officer or the Department of Human Services. All inspections shall be documented and kept on file.

Q. 2.

The facility should have a daily routine of work by inmates necessary to keep all areas of the facility clean and sanitary.

Q. 3. Mandatory

Supervisory staff shall inspect the jail facility daily during their respective shifts to ensure the facility is clean and sanitary. If the facility is not clean, the supervisor shall take steps to have the facility cleaned. The supervisor shall record the inspection conducted in the facility Activity Log.

Q. 4.

The administrator or designee with supervisory capacity should conduct a sanitation inspection of all areas of the facility at least weekly. Such inspections should be recorded in the facility Activity Log.

Q. 5.

Adequate cleaning tools and supplies should be provided for all areas of the facility. Cleaning tools and supplies should be kept securely stored when not in use. The use of cleaning tools and supplies should be under the supervision of facility staff.

Q. 6. Mandatory

All poisonous and caustic compounds used for cleaning or extermination shall be clearly labeled, securely stored, and inventoried.

Q. 7. Mandatory

There shall be a plan for the control of vermin, including fumigation of the facility by a licensed pest control professional when necessary.

Q. 8. Mandatory

All facility furnishings shall be made of easily cleanable materials which meet applicable life safety code requirements.

Q. 9. Mandatory

Durable, rust-resistant, water-tight, and cleanable trash receptacles shall be provided in all areas of the facility. Trash receptacles shall be emptied and cleaned daily.

Q. 10. Mandatory

Inmates shall not sleep on mattresses placed directly on the floor unless medically necessary and authorized in writing by health care personnel.

Q. 11. Mandatory

Inmates shall be allowed to shower at least daily.

Q. 12. Mandatory

There shall be a sufficient supply of hot and cold water to meet the needs of the facility.

Q. 13.

The facility inventory of linen and bedding should exceed the maximum inmate population to ensure that a reserve is always available. In jails that allow inmates to wear personal clothing, jail clothing should be provided to inmates assigned to food service, maintenance, or special work details.

Q. 14. Mandatory

Laundry services shall be sufficient to allow for the following exchanges:

- a. Clothing at least twice weekly;
- b. Linen at least once weekly;
- c. Towels at least twice weekly;
- d. Blankets at least monthly, or before being reissued to another inmate; and
- e. Clothing of inmates working in food services daily.

Q. 15. Mandatory

Toilet paper shall be available at all times in areas where toilets are provided.

Q. 16.

Provisions should be made for inmates to receive haircuts.

Q. 17. Mandatory

Inmates shall be provided access to shaving materials. Community razors are prohibited.

R. FACILITIES

R. 1. Mandatory

Jail facilities shall comply with the applicable codes set forth in the Life Safety Code published by the National Fire Protection Association and adopted by the Maine Department of Public Safety.

R. 2. Mandatory

Juveniles shall not be detained in adult facilities except as provided under Maine statute.

R. 3. Mandatory

Each facility shall establish security perimeters that are maintained at all times to control access to and egress from the facility and control inmate movement. The facility shall operate a control center to monitor and/or control, at a minimum:

- a. Security systems;
- b. Locking systems;
- c. Alarms;
- d. Perimeters;
- e. Communication and audio systems;
- f. Video or digital monitoring systems;
- g. Staff & inmate circulation; and
- h. Inmate-occupied areas.

R. 4. Mandatory

Female inmates shall be provided housing areas separate by sight and audible sound from male inmates. All shower and bathroom facilities shall be designed to prevent direct viewing by staff and inmates of the opposite sex to insure the inmates' right to privacy.

R. 5.

A washable paint that meets applicable codes should be used on all non-tiled surfaces and on all metal work in all facility areas. Painted surfaces should not be scaled or deteriorated.

R. 6.

All floors should be finished and maintained with materials that are easily cleaned and comply with applicable codes.

R. 7. Mandatory

All maximum security cells and a portion of medium security cells shall be designed and used for single-occupancy with a minimum of 70 square feet.

R. 8. Mandatory

Each facility shall have a combination of single-and double-occupancy cells for medium security inmates. The number of single-and double-occupancy medium security cells shall be based on the need to separate non-violent inmates from those inmates who pose a risk of violence. A minimum of 35 square feet per inmate shall be provided.

R. 9. Mandatory

Multiple-occupancy cells, rooms, or dormitories of 3 inmates or more, shall be used to house only those inmates classified as minimum security or less. A minimum of 35 square feet per inmate shall be provided. A multiple-occupancy dormitory housing unit shall not exceed 50 inmates. Dormitory sleeping space shall be separated from day space by a floor- to-ceiling partition.

R. 10. Mandatory

Each housing area shall have its own day space which provides each inmate with a minimum of 35 square feet of space. No day space shall be less than 100 square feet.

R. 11. Mandatory

Each facility shall have a living area for inmates requiring immediate separation and special management as a result of violence, intoxication, escape risk, need of protection from others, threat to self or others, out of control behavior, or disciplinary segregation.

R. 12. Mandatory

In minimum security or community-based facilities where inmates are not restricted to housing units (dorms, cells, day space) or facilities during waking hours and have access to leisure, work, and other activity spaces, housing facilities shall provide a lounge area with a minimum of 15 square feet per inmate. Sleeping space providing a minimum of 25 square feet per inmate must be separated from the lounge area by a floor to ceiling partition.

R. 13. Mandatory

Fixtures, furnishings, and equipment shall be detention grade consistent with the security and supervision level of the area in which they are used.

R. 14. Mandatory

Noise levels within inmate-occupied areas shall not be sustained above the level of 70 decibels during the day and 45 decibels during sleeping hours.

R. 15. Mandatory

Operable toilets and wash basins with hot and cold running water shall be provided in all maximum security cells. Whenever toilets are not provided in medium and minimum security cells, rooms, or dorms, there shall be no less than one toilet for every 12 male inmates or one toilet for every 8 female inmates. Urinals may be substituted for up to one-half of the toilets for males in common bathroom areas. Wash basins shall be provided at a ratio of 1 to every 12 occupants.

R. 16. Mandatory

Toilet facilities, separate from inmate toilet facilities, shall be available for staff use.

R. 17. Mandatory

Operable shower facilities with hot and cold running water shall be available in each individual housing unit. The ratio of showers to inmates shall not exceed 1 to 12. Water temperature shall be thermostatically controlled from a range of 100 degrees F. to 120 degrees F. The design and location of showers and drying areas, in all areas including the admission area, shall provide for visual privacy.

R. 18. Mandatory

A shower shall be provided in the facility admissions area.

R. 19. Mandatory

Access to drinking water shall be provided in housing units.

R. 20. Mandatory

All inmate housing areas shall be maintained at temperatures no less than 65 and no more than 85 degrees F.

R. 21. Mandatory

Light levels in cells shall be at least 15 foot-candles at the level of 3 feet above the desk or bed and shall not exceed 5 foot-candles during sleeping hours.

R. 22. Mandatory

Each cell shall have at least 3 square feet of clear security glazing or 4 square feet of open bars which provide a view to the exterior or to a day-space which can be lit by natural light during the daytime and which has at least 10 square feet of clear security glazing providing a view to the exterior.

R. 23. Mandatory

Each maximum security and special needs cell shall be equipped with the following fixed furnishings:

- a. bunk(s) or sleeping platform at least eight inches off the floor;
- b. writing surface(s);
- c. seating for use of the writing surface; and
- d. individual storage, and/or shelves.

Furnishings are to be selected to minimize the risk of use for self-harm or injury.

R. 24. Mandatory

Each medium security cell shall be equipped with the following furnishings for each occupant:

- a. bunk(s)
- b. writing surface(s);
- c. seating for use of the writing surface; and
- d. individual storage and/or shelves.

R. 25. Mandatory

Each minimum security housing area shall be equipped with the following furnishings for each occupant:

- a. bed or bunk(s);
- b. desk or tables sufficient to seat all occupants; and
- c. individual storage or shelves for each occupant.

R. 26. Mandatory

Each dayroom, lounge, and multi-purpose area shall be furnished with sufficient seating, tables, and other furnishings necessary for inmate activities conducted in the dayroom or multi-purpose area. Furnishings in maximum security or special management dayrooms shall be fixed or designed to prevent them from being readily moved or thrown.

R. 27. Mandatory

All inmate and staff areas shall have circulation of at least 15 cubic feet of outside or re-circulated filtered air per minute, per occupant, and 20 cubic feet in dining and indoor exercise areas.

R. 28. Mandatory

Appropriate space shall be provided for all activities and functions required in these standards for jails. Space shall be allocated for, but not limited to, the following:

1. Admission and reception;
2. Holding and detention cells;
3. Non-secure waiting;
4. Observation/detoxification cell(s) in admissions;
5. Inmate storage;
6. Facility storage;
7. Record storage;

8. A cell (s) specifically designed to prevent suicides;
9. Medical exam and secure medication storage;
10. Interview areas;
11. Maximum security housing (male, female);
12. Secure Control Room
13. Direct supervision medium security housing designed after the year 2004 (male, female);
14. Direct supervision minimum security housing designed after the year 2004 (male, female);
15. Special management housing (male, female);
16. Flexible housing;
17. Strip search/shower;
18. Secure Control room;
19. Officers' workstation(s)/post;
20. Classroom/multi-purpose space;
21. Food service, dining, storage;
22. Inmate visiting (contact and non-contact);
23. Staff training/conference;
24. Classification;
25. Inmate program/counseling;
26. Laundry;
27. Security garage; vehicle sally port;
28. Indoor and outdoor exercise areas;
29. Administrative/clerical;
30. Public reception, waiting, lockers, and restrooms;
31. Staff locker/shower/dressing;
32. Mechanical space and secure area for security control systems and management information systems;
33. Janitor space;
34. Chapel (may be met through scheduling use of multipurpose areas);
35. Staff training area
36. Optional: Inmate Commissary
 - Inmate industrial
 - Service Armory
 - Separate housing for juveniles

R. 29. Mandatory

The facility's physical design shall:

- a. Provide for secure perimeters including, at a minimum, exterior/grounds perimeter(s) and facility primary and secondary perimeters;
- b. Control access to inmate-occupied areas;
- c. Control inmate movement;
- d. Provide maximum observation of inmate-occupied areas designed for direct supervision balanced with inmate privacy considerations;
- e. Provide for a range of security levels for inmate housing, activities, and programs;
- f. Provide cells specially designed and equipped to prevent suicides as far as possible;
- g. Promote positive staff/inmate relations;
- h. Prevent the observation of inmate areas by the public; and
- i. Provides separation of adults, juveniles, male, females, special needs, and high risk inmates from medium and low risk inmates.

R. 30. Mandatory

An audio monitoring system providing two-way communications shall be maintained, at a minimum, between the Control Center and:

- a. All external and internal primary and secondary facility security perimeters;
- b. All inmate housing and activity areas; and
- c. All facility support areas.

R. 31. Mandatory

A secure outdoor recreation area shall be provided, with dimensions of at least 50 feet by 30 feet, or 1500 square feet, for facilities of less than 100 inmates.

R. 32. Mandatory

A covered/enclosed exercise area built after 1992 in a new facility of 100 inmates or more shall provide a minimum of 15 square feet per inmate for the maximum number of inmates expected to use the space at any one time, but not less than 1,000 square feet of unencumbered/usable space, with a minimum ceiling of 18 feet.

R. 33. Mandatory

An emergency electrical power system shall be provided for automatic quick recovery to maintain essential services, security, and safety. Emergency power shall supply electricity for entrance lighting, exit signs, staff and inmate corridors, fire alarm, and electrically- operated locks and gates, as well as automated management information systems. Emergency power shall also provide electricity for the emergency ventilation unit when operable windows are not provided. Emergency power system shall be tested at least monthly under a full electrical load.

R. 34. Mandatory

All facilities shall comply with required plumbing, electrical, and applicable building codes. Each facility shall keep documentation on file verifying compliance with applicable codes.

R. 35. Mandatory

Each facility shall maintain documentation on file verifying compliance of the physical plant with the applicable American Disabilities Act (ADA) requirements.

R. 36.

Each facility's physical plant and mechanical systems should have a written plan for facility maintenance to include at a minimum:

- a. Preventive maintenance;
- b. Routine and emergency repairs;
- c. Inspection of the facility and equipment; and
- d. Testing of emergency and detection systems.

R. 37. Mandatory

Each administrator or designee shall ensure that an up-to-date set of facility floor plans and specifications are maintained and available for use in emergencies.

R. 38. Mandatory

Concurrent with the schematic design phase of a new or renovated facility, staffing plans for the facility and their projected annual cost shall be submitted to the Department for review for compliance with standards and approval.

R. 39. Mandatory

There shall be a written facility activation plan and budget developed concurrent with the funding of new facility construction. The plan shall provide for the development of new policies and procedures, user transition, training, operating procedures, and a period of facility testing. The plan shall be submitted to the Department for review for compliance with standards.

R. 40. Mandatory

Space needs for a new facility and projected population shall be carefully assessed and described. Space shall be planned to meet all housing, program, support, and administrative needs. Plans submitted are to include provisions for future expansion and supporting infrastructure of at least twenty five percent (25%) of the facility rated capacity. Needs shall reflect all applicable codes, regulations, and standards.

R. 41. Mandatory

Key planning and design documents shall be submitted to the Department for review and comment at each of the following stages:

- a. During conceptual design;
- b. At the completion of the schematic design phase;
- c. At the completion of each set of preliminary or progress plans;
- d. Prior to the release of construction documents and specifications for bid; and
- e. As Built drawing upon completion of construction.

R. 42. Mandatory

The county shall inform the Department in writing when construction is 75% completed so that an on-site inspection by the Department can be made to determine standards compliance. Final inspection of the completed facility shall be made, and the Department shall certify compliance before a new or renovated facility is occupied by inmates and placed in operation.

R. 43. Mandatory

A county shall inform the Department of all planned renovations to its facility in order for the Department to determine the applicability of Standards R. 39 through R. 43 to the Project.

APPENDIX A

SUGGESTED POLICY AND PROCEDURE TOPIC OUTLINE

SECTION A: ADMINISTRATION AND PERSONNEL POLICIES

A-100 Administration

Procedure A. Review of Administrative Policies and Procedures

Procedure B. Staff Training

A-110 Fiscal Management

Procedure A. Fiscal Management System, General

Procedure B. Inmate Daily Accounts

Procedure C. Inmate Work Place Accounts

Procedure D. Commissary Accounts

Procedure E. Inmate Benefit Account

A-120 Records

Procedure A. Records, General

Procedure B. Prevention of Unauthorized Access or Disclosure

A-121 Management Information Data

Procedure A. Management Information Systems

Procedure B. Inmate Population Data

Procedure C. Disaster & Recovery Plans, Computers

A-122 Jail Logs

Procedure A. Jail Logs

A-123 Inmate Records

Procedure A. Inmate File Records

Procedure B. Inmate Medical Records

Procedure C. Improper Disclosure/Access

A-124 Food Service Records

A-125 Personnel Records

A-126 Personnel Training Records

A-127 Administration Review

Procedure A. Review of Logs

Procedure B. Inmate Files

Procedure C. Other Records

A-130 Staff Training

Procedure A. Staff Training, General

A-131 Entry Level Training

Procedure A. Orientation

Procedure B. Pre-Assignment (Level A & B)

Procedure C. Basic School (Level C)

Procedure D. Post Basic (Level D)

A-132 In-Service Training, Annual (Level E)

A-133 Advanced Training

A-140 Internal Investigations

A-150 Reviewing and Revising Policies and Procedures

A-160 Calculating Periods of Imprisonment (Goodtime)

A-200 Personnel Policies (Optional)

SECTION B EMERGENCY PLANS AND PROCEDURES

B-100 Emergency Plans and Procedures

Procedure A. Emergency Situations

Procedure B. Staff Training

B-110 Implementation of Emergency Plans

Procedure A. Staff Responsibilities

Procedure B. Establishing Authority

B-111 Command Office Responsibilities

B-112 Emergency Codes

B-120 Emergency Release and Evacuation Procedures

B-130 Fire Emergency Plans

Procedure A. Fire Prevention and Protection

Procedure B. Documenting and Maintaining Fire Plans

B-131 Emergency Fire Procedures

B-135 Inmate Suicide

Procedure A. Responsibilities of discovering officer

Procedure B. Emergency Medical Treatment

Procedure C. Required Notification and Documentation

Procedure D. Debriefing

B-140 Escapes

Procedure A. Duty Correctional Officer

Procedure B. Control Clerk

Procedure C. Command Officer

B-141 Breaking Custody

Procedure A. Escorting Personnel

Procedure B. Control Clerk

Procedure C. Command Officer

B-142 Walk Away

Procedure A. Staff Member Who Discovers or Suspects a Walk Away

Procedure B. Dispatcher

Procedure C. Command Officer

B-150 Riots

Procedure A. Weapons and Special Equipment use

Procedure B. Duty Correctional Officer

Procedure C. Control Clerk

Procedure D. Command Officer

B-160 Hostage Situation

Procedure A. Hostage Negotiations

Procedure B. Use of Deadly Force

B-161 Hostage Procedures

Procedure A. Duty Correctional Officer

Procedure B. Control Clerk

Procedure C. Command Officer/Negotiator

B-170 Mass Arrest

Procedure A. Facility Preparation

Procedure B. Additional Building and Facilities

Procedure C. Additional Personnel

Procedure D. Admissions, Bail, and Release Processing

B-180 Work Stoppage

B-190 Death in Jail, Notification & Investigation

B-200 Facility Contingency Housing Plans

B-210 Correctional Emergency Response or Tactical Team

Procedure A. Organization, Qualifications & Training

Procedure B. Use of Teams

Procedure C. Authorized Equipment and Weapons

SECTION C: ADMISSIONS AND RELEASE

- C-101 Implementing and Maintaining the Admissions Process
 - Procedure A. Review of Admission Practices
 - Procedure B. Staff Training
- C-102 Receiving Prisoners for Admissions
- C-103 Pre-Admission Procedures
 - Procedure A. Determination of Proper Commitments
 - Procedure B. Check for Injury/Medical Screening/Observations
 - Procedure C. Preliminary Search
- C-110 Admissions Procedures, Initial Steps
 - Procedure A. General Procedures
- C-111 Required Documentation of Admissions
 - Procedure A. Required Documentation
 - Procedure B. Admission Forms
 - Procedure C. Prisoner's Property and Funds (Inventory, Receipts, Storage)
 - Procedure D. Prisoner Identification/Booking
- C-112 Prisoner Screening/Referrals (Mental Health, Substance Abuse, Suicide)
 - Procedure A. Mental Health/Suicide Screening and Referrals
 - Procedure B. Substance Abuse Screening and Referrals
- C-113 Prisoner Telephone Calls
- C-114 Bail Arrangements
 - Procedure A. Prisoner for Whom Bail Has Been Set
 - Procedure B. Prisoner for Whom Bail Has Not Been Set
- C-120 Admission Procedures--Inmates Not Bailed
 - Procedure A. Strip Search/Documentation/Shower
- C-121 Clothing Exchange, Linen, and Personal Hygiene Items
 - Procedure A. Clothing Exchange
 - Procedure B. Linen Issue
 - Procedure C. Personal Hygiene Item Issue
- C-122 Inmate Orientation
- C-123 Initial Inmate Housing Assignment
 - Procedure A. Male, Minimum, Medium and Maximum
 - Procedure B. Female, Minimum, Medium and Maximum
 - Procedure C. Juvenile, Minimum, Medium and Maximum
- C-200 Release of Inmates
 - Procedure A. Implementing and Maintaining Release Procedures

Procedure B. Staff Training

C-210 Release Procedures

- Procedure A. Release Procedures, General
- Procedure B. Positive Identification of Inmates to be Released
- Procedure C. Verification/Authorization of Release
- Procedure D. Receipt of Jail Property
- Procedure E. Release of Inmate Property
- Procedure F. Documentation of Release

SECTION D: INMATE CLASSIFICATION AND SECURITY

D-100 Inmate Classification and Security

D-101 Categories of Inmate Classification Assignments

- Procedure A. Maximum-Security Inmates
- Procedure B. Medium-Security Inmates
- Procedure C. Minimum-Security Inmates
- Procedure D. Special Management Inmates
- Procedure E. Classification of Females and Juvenile
- Procedure F. Community-Based Inmates

D-110 Inmate Classification Procedures

D-111 Initial Classification Procedure

- Procedure A. Initial Classification Interview
- Procedure B. Verification of Information
- Procedure C. Classification and Housing Assignment

D-120 Classification Committee

- Procedure A. Classification Committee, General
- Procedure B. Inmate Classification Assignments

D-130 Inmate Reclassification Procedures

- Procedure A. Reclassification to a Higher Security Assignment
- Procedure B. Reclassification to a Lower Security Assignment

D-131 Inmate Appeal of Classification Assignment

D-200 Security Perimeters

- Procedure A. Establishing Security Perimeters
- Procedure B. Maintaining Security Perimeters

D-210 Control Room Security Procedures

D-211 Weapons Control

- Procedure A. Entrance Through Public Entrance
- Procedure B. Entrance Through SallyPort

- D-212 Control of Keys
 - Procedure A. Key Control, General
 - Procedure B. Accounting for Keys Out and Returned
- D-213 Control of Tools/Culinary Equipment
 - Procedure A. Control of Tools/Culinary Equipment Out/In
- D-214 Controlling Security Doors and Inmate Movement
 - Procedure A. Sallyport Entrance/Perimeter Doors
 - Procedure B. Control of Secondary Perimeter
 - Procedure C. Control of Cell Doors/Common Areas
- D-215 Surveillance Equipment and Alarms
 - Procedure A. Surveillance Equipment
 - Procedure B. Fire/Smoke Alarms
 - Procedure C. Other Alarm Systems
- D-220 Search Procedures
 - Procedure A. Search Procedures, General
 - Procedure B. Inmate Pat Search
 - Procedure C. Inmate Strip Search
 - Procedure D. Body Cavity Searches
 - Procedure E. Search of Common and Living Area
 - Procedure F. Facility Shakedown
 - Procedure G. Search of Civilians
 - Procedure H. Search of Items Entering & Exiting Facility Perimeter
 - Procedure I. Preservation of Evidence
- D-230 Inmate Counting Procedures
 - Procedure A. Inmate Counting procedures, General
 - Procedure B. Inmate Not Accounted For
 - Procedure C. Inmate Bed/Flesh Checks
- D-240 Inmate Supervision and Relations
- D-241 Use of Force
 - Procedure A. Non-deadly Force
 - Procedure B. Deadly Force
- D-242 Supervision of All Categories of Inmates
 - Procedure A. Maximum and Medium-Security Inmates
 - Procedure B. Minimum-Security Inmates
 - Procedure C. Trustees and Inmates Participating in Release Programs
 - Procedure D. Female and Juvenile Inmates
- D-243 Special Management Inmates
 - Procedure A. Treatment of Special Management Inmates
 - Procedure B. Supervision of Special Management Inmates
 - Procedure C. Administrative Segregation
 - Procedure D. Disciplinary Segregation

D-244 Use of Restraints in the Facility

D-250 Transportation of Inmates

Procedure A. Transportation of Inmates

SECTION E: SANITATION, MAINTENANCE, AND FOOD SERVICES

E-100 Jail Sanitation

Procedure A. Maintaining Sanitation Practices

E-110 Cleaning Supplies

Procedure A. Inventorying and Ordering Cleaning Supplies

Procedure B. Storage of Cleaning Supplies

Procedure C. Issuing Cleaning Supplies

E-120 Housekeeping Plans

Procedure A. Housekeeping Plans, General

Procedure B. Inmate Housing Areas

Procedure C. Common Areas

Procedure D. Jail Kitchen

E-130 Vermin and Pest Control

Procedure A. Professional Vermin and Pest Control Services

Procedure B. Vermin and Pest Control by Staff

E-140 Inmate Personal Hygiene

Procedure A. Inmate Personal Hygiene, Minimum Standards

Procedure B. Inmate Personal Hygiene Items

Procedure C. Inmate Clothing and Linen Exchange

Procedure D. Contaminated Clothing and Linen

E-150 Laundry Services

Procedure A. Inventorying and Ordering Clothing, Linen, and
Laundry Supplies

Procedure B. Laundry Services Area, General

Procedure C. Laundry Schedule

Procedure D. Duties of the Laundry Person

E-160 Trustee Selection

Procedure A. Kitchen

Procedure B. Other

E-200 Jail Maintenance

Procedure A. Jail Maintenance, General

Procedure B. Preventative Maintenance Plan/Schedule

Procedure C. Reporting Maintenance Problems, Non-Emergency

Procedure D. Reporting Emergency Maintenance Problems

Procedure E. Reporting Emergency Maintenance Problems After
Normal Hours.

- E-210 Environmental Control Systems
 - Procedure A. Heating and Cooling
 - Procedure B. Electrical Lighting and Switches
 - Procedure C. Ventilation System
 - Procedure D. Plumbing and Water Control
- E-300 Food Services
- E-301 Inmate Dining
- E-302 Meal Schedule
- E-303 Menu Plan
- E-304 Special Diets
 - Procedure A. Special Therapeutic Diets
 - Procedure B. Special Diets, Religious Beliefs
- E-310 Kitchen Sanitation
- E-320 Food Preparation
- E-330 Feeding Procedures
- E-340 Inventorying, Ordering and Receiving Food Supplies
 - Procedure A. Food Supply Inventory
 - Procedure B. Ordering Food Supplies
 - Procedure C. Receiving Food Supplies
- E-341 Emergency Food Supply
- E-350 Food Storage and Stock Rotation
 - Procedure A. Food Storage
 - Procedure B. Rotating Food Supplies

SECTION F: INMATE RIGHTS, DISCIPLINE, SERVICES, AND PROGRAMS

- F-100 Inmate Rights, General
- F-110 Inmate Access to Courts
 - Procedure A. Written Communications with the Courts
 - Procedure B. Verbal Communications with the Courts
 - Procedure C. Access Through Legal Representative
- F-120 Inmate Access to the Media
- F-130 Inmate Mail, General
- F-131 Incoming Mail

- F-132 Outgoing Mail
- F-140 Inmate Telephone Usage
- F-150 Inmate Visiting
 - Procedure A. Inmate Visiting, General
 - Procedure B. Receiving Visitors
 - Procedure C. Supervising Inmate Visits
 - Procedure D. Documentation of Visitation
- F-151 Visits from Family and Friends
- F-152 Visits from Professionals
- F-153 Special Visits
- F-154 Visiting Rules
- F-155 Visiting by Persons Under 18
- F-156 Visits by Ex-Inmates
- F-160 Inmate Grievances
 - Procedure A. Inmate Grievance Procedures
 - Procedure B. External Grievance Procedures
- F-200 Inmate Discipline Procedures
 - Procedure A. Maintaining Disciplinary Procedures
 - Procedure B. Disciplinary Procedures, Minor Infractions
 - Procedure C. Disciplinary Procedures, Major Infractions
 - Procedure D. Offenses
 - Procedure E. Pre-Hearing Procedures
- F-210 Inmate Rules and Regulations
- F-300 Inmate Services
- F-310 Medical Services
 - Procedure A. Medical Services, General
 - Procedure B. Jail Physician
- F-311 Emergency Medical Procedures
- F-312 Non-Emergency Medical Procedures
 - Procedure A. Inmate Access to Non-Emergency Medical Services
 - Procedure B. Sick Call
 - Procedure C. Physicals
 - Procedure D. Inmate Refusing Medical Treatment
- F-313 Inmate's Medication
 - Procedure A. Inmate's Medication, General

- Procedure B. Administering or Self-Administration of Prescribed Medication
- Procedure C. Administering or Self-Administration of Non-Prescribed Medication
- Procedure E. Secure Storage and Inventory of Medication

F-314 Emergency Dental Care

F-315 Special Health Care Services

F-316 Delousing Procedure

F-317 Inmate Detoxification

F-318 First Aid Kits

- Procedure A. Location of First-Aid Kits

- Procedure B. Maintenance of First Aid-Kits.

F-319 Infectious Disease Control

F-320 Psychiatric Services

F-321 Emergency Psychiatric Services

F-322 Non-Emergency Psychiatric Services

F-330 Religious Services

- Procedure A. Religious Services, General

- Procedure B. In-House Religious Services

- Procedure C. Inmate Request for Religious Counseling

- Procedure D. Attending Religious Services in the Community

F-340 Library Services

- Procedure A. Jail Library Services, General

- Procedure B. Access to Legal Materials

F-350 Commissary Services

- Procedure A. Commissary Services, General

- Procedure B. Ordering Items Through Commissary Services

F-400 Inmate Programs

F-410 In-House Programs

F-411 Recreation Programs

- Procedure A. Leisure Time Activities

- Procedure B. Outdoor Recreation

F-412 Social Service and Counseling Programs

F-413 Educational Programs

- Procedure A. In-House Educational Programs, General
- Procedure B. Community-Based Educational Programs

F-420 Release Programs

- Procedure A. Inmate Release Programs, General
- Procedure B. Selection of Inmates to Participate in Release Programs
- Procedure C. Implementing Approved Release Programs

F-421 Furlough Programs

- Procedure A. Furlough Programs, General
- Procedure B. Inmate's Request for Furloughs

F-422 Public Service and Non-Profit Organization Work Projects

F-423 Home Release/Monitoring Programs

F-424 Work/Educational Release

F-425 Community Based Programs, Diversion and Alternative Sentencing.

Section G: Juvenile Detention

G-100 Principles of Juveniles Detention

- Procedure A. Establishing & Maintaining Practices to Detain Juveniles
- Procedure C. Juvenile Detention Logs

G-101 Separation of Juveniles from Adults

- Procedure A. Housing
- Procedure B. Scheduling of Activities and Movement
- Procedure C. Movement
- Procedure D. Participation in Programs, Activities and Services

G-200 Admission Practices & Accepting Juveniles for Detention

- Procedure A. Notification that Juvenile is Enroute to the Facility
- Procedure B. Screening Prior to Admission to the Secure Area
- Procedure C. Alternative Arrangements Outside of the Secure Area
- Procedure D. Provisions for Emergency Detention
- Procedure E. Receiving Detainers for Admission
- Procedure F. Initial Housing, Security Facility or Temporary Holding Resources
- Procedure G. Clothing Exchange/Linen/Personal Hygiene
- Procedure H. Juveniles with Special Needs

G-300 Emergency Detention of Juveniles

- Procedure A. Approving Emergency Detention
- Procedure B. Implementing Emergency Detention
- Procedure C. Termination of Emergency Detention

G-400 Juvenile Detention up to 24 Hours

- Procedure A. Approving up to 24 Hours Detention
- Procedure B. Implementing More than 24 Hours Detention

Procedure C. Termination of up to 24 Hours Detention

G-500 Juvenile Detention, More than 24 Hours

Procedure A. Approving More than 24 Hours Detention

Procedure B. Implementing More than 24 Hours Detention

Procedure C. Termination of More than 24 Hours Detention

G-501 Minimizing Isolation of Juvenile Detainers and Minimizing Negative Aspects of Confinement

G-502 Reducing Juvenile Idleness

Procedure A. Plan of the Day

Procedure B. Work

APPENDIX B

Inmate Daily County Form

County _____ Date _____ Started By _____

COUNT AT MIDNIGHT:

5. In-House Inmate Population

1. Classification of Adult Population

Adult Male

minimum medium maximum

--	--	--

Adult Female

minimum medium maximum

--	--	--

2. Total In-House Population

Adult

Male Female

--	--

Juvenile

Male Female

--	--

3. Number of B that are Boarders

Adult

Male Female

--	--

Juvenile

Male Female

--	--

6. Population Not Being Housed in York Jail

7. Number Boarded Out

Adult

Male Female

--	--

Juvenile

Male Female

--	--

8. Others (i.e. Escape, AMHI, BMHI, Other)

Adult

Male Female

--	--

Juvenile

Male Female

--	--

3. Total Inmate Population Responsible For

(Add B + D + E)

Adult

Male Female

--	--

Juvenile

Male Female

--	--

4. Status of Population

Adult

Pre-Trial Sentenced

--	--

Juvenile

Pre-Trial Sentenced

--	--

5. New Admissions from 12 a.m. to 11:59 p.m.

Adult

Male Female

--	--

Juvenile

Male Female

--	--

Total

Male Female

--	--

6. Released from 12 a.m. to 11:59 p.m. (See #7)

Adult

Male Female

--	--

Juvenile

Male Female

--	--

Total

Male Female

--	--

7. Admissions and Releases from 12:00 a.m. to 11:59 p.m.

Admissions								Releases							
Name	Adult M F	Juvenile M F	Status PT S					Name	Adult M F	Juvenile M F	Status PT S				
1								1							
2								2							
3								3							
4								4							
5								5							
6								6							
7								7							
8								8							
9								9							
10								10							
Total Admitted								Total Released							

CODES: M – Male PT – Pre-Trial
F – Females S – Sentenced
MN - Minimum MX - Maximum

*Figures from these rows are to be posted in
the Monthly Population Report.

Appendix B.1

MAINE DEPARTMENT OF CORRECTIONS

COUNTY JAIL MONTHLY POPULATION REPORT FORM

COUNTY: _____

MONTH: _____ 20____

[illegible]

COURT _____ DOCKET # _____

OFFENSES CONVICTED _____ COUNT # _____

COMPLETE SENTENCE: _____

___ YES ___ NO Is there a companion charge?

DOB: _____

TOTAL NUMBER OF DAYS SERVED _____

ADJUSTMENTS TO PROJECTED RELEASE DATE

DATE/TIME PERIOD ADJUSTMENT REASON Item K:_____ Item J: _____

*		-----	
	=	_____	_____
*		-----	
	=	_____	_____
*		-----	
	=	_____	_____
*		-----	
	=	_____	_____
*		-----	
	=	_____	_____
*		-----	
	=	_____	_____
*		-----	
	=	_____	_____
*		-----	
	=	_____	_____

Transfer

the Last Release Date to the “Date Ended” on the bottom of Reverse Side

_____ COUNTY JAIL
RELEASE DATE COMPUTATION SHEET
TITLE 17-A, MRSA, SECTION 1253, SUBSECTION 8
(1995 Code)

Inmate _____ DOB _____

Court _____ Date Sentence Started _____

Convictions _____ Docket # _____

Is there a companion sentence(s) involving imprisonment? Yes _____ No _____

=====

Item A: Enter term of imprisonment/initial unsuspended
portion of split sentence (in number of days) _____

Item B: Enter detention time deduction, if any - _____

Item C: Enter sub-total (Item A - Item B) _____

Item D: Enter Deduction of 1 day if term of
imprisonment is over 30 days - _____

Item E: Enter calendar day of the year sentence started _____

Item F: Enter results of item C., or D if applicable _____

Item F. Enter subtotal (item E. + F.) _____

Item G. Enter date of release eligibility based on
item F. _____

Item H. Enter total deductions (total days)
17-A MRSA Sect. 1253 (8); 30-A MRSA Sect. 1606 _____

Item I. Enter day released (Item F - Item H) = _____

Item J. Enter date inmate was released _____
(Adjustments to Item H. , see reverse side)

=====

Date Sentence Started _____ Date Sentence Ended _____

Total Number of Days Served _____

DEDUCTIONS/ADDITIONS

Page 1 of 2

Deductions/Additions:

Codes: GT= Good-time (up to 5 days per calendar month), PW= Public Works Projects, DR= Disciplinary, and RS= Restored Good-time

Day of the year eligible for release _____ Date eligible for release _____

	Code	# of Days		Adjusted release date
1. Deduct/Add	-	_____	Sub-Total	_____
2. Deduct/Add	-	_____	Sub-Total	_____
3. Deduct/Add	-	_____	Sub-Total	_____
4. Deduct/Add	-	_____	Sub-Total	_____
5. Deduct/Add	-	_____	Sub-Total	_____
6. Deduct/Add	-	_____	Sub-Total	_____
7. Deduct/Add	-	_____	Sub-Total	_____
8. Deduct/Add	-	_____	Sub-Total	_____
9. Deduct/Add	-	_____	Sub-Total	_____
10. Deduct/Add	-	_____	Sub-Total	_____
11. Deduct/Add	-	_____	Sub-Total	_____
12. Deduct/Add	-	_____	Sub-Total	_____
13. Deduct/Add	-	_____	Sub-Total	_____
14. Deduct/Add	-	_____	Sub-Total	_____
15. Deduct/Add	-	_____	Sub-Total	_____
16. Deduct/Add	-	_____	Sub-Total	_____
17. Deduct/Add	-	_____	Sub-Total	_____
18. Deduct/Add	-	_____	Sub-Total	_____
19. Deduct/Add	-	_____	Sub-Total	_____
20. Deduct/Add	-	_____	Sub-Total	_____
21. Deduct/Add	-	_____	Sub-Total	_____
22. Deduct/Add	-	_____	Sub-Total	_____
23. Deduct/Add	-	_____	Sub-Total	_____
24. Deduct/Add	-	_____	Sub-Total	_____
25. Deduct/Add	-	_____	Sub-Total	_____
26. Deduct/Add	-	_____	Sub-Total	_____
27. Deduct/Add	-	_____	Sub-Total	_____
28. Deduct/Add	-	_____	Sub-Total	_____
29. Deduct/Add	-	_____	Sub-Total	_____
30. Deduct/Add	-	_____	Sub-Total	_____
31. Deduct/Add	-	_____	Sub-Total	_____
32. Deduct/Add	-	_____	Sub-Total	_____
33. Deduct/Add	-	_____	Sub-Total	_____

Total amount of good-time days earned this page _____

Page 2 of 2

	Code	# of Days		Adjusted release date
34. Deduct/Add	-	_____	Sub-Total	_____

35. Deduct/Add	-	_____	Sub-Total	_____	_____
36. Deduct/Add	-	_____	Sub-Total	_____	_____
37. Deduct/Add	-	_____	Sub-Total	_____	_____
38. Deduct/Add	-	_____	Sub-Total	_____	_____
39. Deduct/Add	-	_____	Sub-Total	_____	_____
40. Deduct/Add	-	_____	Sub-Total	_____	_____
41. Deduct/Add	-	_____	Sub-Total	_____	_____
42. Deduct/Add	-	_____	Sub-Total	_____	_____
43. Deduct/Add	-	_____	Sub-Total	_____	_____
44. Deduct/Add	-	_____	Sub-Total	_____	_____
45. Deduct/Add	-	_____	Sub-Total	_____	_____
46. Deduct/Add	-	_____	Sub-Total	_____	_____
47. Deduct/Add	-	_____	Sub-Total	_____	_____
48. Deduct/Add	-	_____	Sub-Total	_____	_____
49. Deduct/Add	-	_____	Sub-Total	_____	_____
50. Deduct/Add	-	_____	Sub-Total	_____	_____
51. Deduct/Add	-	_____	Sub-Total	_____	_____
52. Deduct/Add	-	_____	Sub-Total	_____	_____

Total amount of good-time days earned pages 1 and 2 _____

MAINE COUNTY JAIL
Part 1. RELEASE DATE COMPUTATION SHEET
Crimes Committed On or After August 1, 2004

INMATE: _____ DOB: _____

COURT _____	DOCKET # _____
DATE OFFENSE WAS COMMITTED: ____/____/____	
OFFENSE CONVICTED FOR: _____ COUNT # _____	
Date & Day of Year Sentence Begins: ____/____/____, Day of Year _____	
<div style="display: flex; justify-content: space-around; align-items: center;"><div style="text-align: center;"><input type="checkbox"/> YES</div><div style="text-align: center;"><input type="checkbox"/> NO</div><div>Is there a companion charge?</div></div>	

Section I. Determine Date of Crime Commission: Determine if the commission of the crime the inmate was sentenced for took place on or after August 1, 2004. If the crime took place on or after August 1, 2004, proceed to Section II below. If the commission of the crime was before August 1, 2004, use the 1995 Release Date Computation Form to calculate the inmate's good time.

Section II. Crime Exception included In 2004 Code: Review the offense the inmate was convicted of to determine if the crime is listed as a crime exception in the 2004 Code. If convicted of a crime listed as an exception to the 2004 Code, good time deductions for the crime exceptions are to be calculated based on the 1995 Code AFTER completing items A. through F. in section III of this form. (See 1995 Release Date Computation Form to compute release date for a crime listed as an exception in the 2004 Code--Transfer the result from Item F. of this form to the 1995 form.) If convicted of a crime NOT listed as an exception to the 2004 Code, complete all items on this 2004 form. Crime exceptions listed in the 2004 Code are:

(1) Murder, Title 17-A, Section 201

(2) A crime under Title 17-A, Chapter 11 (Sections 253-260, Sex Offenses)

(3) A crime under Title 17-A, Section 556 (Incest)

(4) A crime under Title 17-A, Section 854, excluding Subsection 1,

Paragraph A, Subparagraph (1) (Indecent Conduct, except for

the Class E crime of Engaging in a Sexual Act in a Public Place)

(5) A crime under Title 17-A, Chapter 12 (Sections 282-284, Sexual Exploitation of Minors)

(6) A crime against a family or household member under Title 17-A, Chapter 9 (Sections 202-

213, Offenses Against The Person) or Chapter 13 (Sections 301-303, Kidnapping or Criminal Restraint) or Title 17-A, Section 506-B (Violation of a Protective Order), 554 (Endangering the Welfare of a Child), 555 (Endangering the Welfare of a Dependent Person), 758 (Obstructing the Report of a Crime or Injury).

Section III. Calculating Inmate Release Date Based on 2004 Code

Item A: **Enter Day of Year Sentence Begins:**

_____ **A**

Item B: Enter Term of Imprisonment/Initial
Unsuspended Portion of Split Sentence (in days)
(17-A, M.R.S.A., 1253, Sub-sec.1)

_____ **B**

Item C: Add Item B to A to determine day of the year of
total sentence length end day w/o deductions.

_____ **C**

Item D: Deduct 1 day from C if sentence is OVER 30 days &
enter new day of the year on line D. (17-A, 1253, Sub-sec.1)

_____ **D**

Transfer the result from Item D. on the previous page

Item E: 1. Credit For Detention Time (days)
(17-A, M.R.S.A., 1253, Sub-sec. 2) Enter # of days credited
for detention time:

_____ **E.1**

2. Good Time Awarded on Detention Time
(17-A M.R.S.A 1253, Sub-Sec. 2, Paragraph A)

Partial Month

1 to 15 days
16 to 31 days

Maximum Good Time (days)

up to 1 day
up to 2 days

_____ **E.2**

Item F: Subtract E.1 & E.2 from D to determine day of the year
resulting from deductions. **D-E.1-E.2=F**

= _____ **F**

Item G: Convert the "day-of-the-year" in Item F. to determine the **PROJECTED RELEASE**
date resulting from PART 1:

_____/_____/_____
Part 1 Projected Release Date

Transfer the "day of the year" from Item F. to line A of Part 2 of the Form as the basis for making further adjustments to the Projected Release Date permitted by law--17-A M.R.S.A. Section 1253, Sub-Sec. 9 (Good Conduct); 17-A Section 1253, Sub-Sec 10 (Work, Education, Program); 30-A Section 1606 (Two Days Work for One day Deduction); and 17-A Section 1253, Sub-Sec 9, Paragraphs B and C, Sub-Sec. 10, Paragraphs C and D (Lost Good Time) (Restored Good Time)

Date Released: Ending Release Date Computation Resulting From Completion of Parts 1 & 2:

Final Release Date: ____/____/____

MAINE COUNTY JAIL

Part 2. RELEASE DATE COMPUTATION SHEET

Crimes Committed On or After August 1, 2004

Additional Adjustments to Part 1. Projected Release Date

Permitted Additional Adjustments to Part 1 of the Release Date Computation Sheet include:

Adjustment 1. 17-A Section 1253, Sub-Sec. 9, Good Conduct: Inmate may earn up to 4 days deduction a month for good conduct.

<u>Partial Month</u>	<u>Maximum Good Time (days)</u>
1 to 7 days	up to 1 day
8 to 15 days	up to 2 days
16 to 23 days	up to 3 days
24 to 31 days	up to 4 days

Adjustment 2. 17-A Section 1253, Sub-Sec. 10, Participation in Work, Education, or Rehabilitation Programs Assigned in the Inmate's Transition Plan: Inmate may earn up to 3 days deduction a month for participation in the above programs.

<u>Partial Month</u>	<u>Maximum Good Time (days)</u>
1 to 10 days	up to 1 day
11 to 20 days	up to 2 days
21 to 31 days	up to 3 days

Adjustment 3. 30-A Section 1606, Participation in Public Service Projects

Inmate may earn 1 day off the sentence for every 16 hours of public service work.

Adjustment 4. 17-A Section 1253, Sub-Sec 9, Paragraphs B and C & Sub-Sec. 10, Paragraphs C and D, Loss and Restoration of Good Time.

Item A: "Day of the year" from Item H. of Part 1: _____

(Begin by subtracting or adding Adjustment a. from Item A)

<u>Adjustment Type</u>	<u>Date</u>	<u>Adjustment # Days</u>	<u>Day of Year</u>	<u>New Release Date</u>	<u>New</u>
<u>-1, -2, -3, -4 or +4</u>					
a. _____	____/____/____	____#days	Day: _____	____/____/____	
b. _____	____/____/____	____#days	Day: _____	____/____/____	
c. _____	____/____/____	____#days	Day: _____	____/____/____	
d. _____	____/____/____	____#days	Day: _____	____/____/____	
e. _____	____/____/____	____#days	Day: _____	____/____/____	
f. _____	____/____/____	____#days	Day: _____	____/____/____	

g. _____	____/____/____	_____#days	Day: _____	____/____/____
h. _____	____/____/____	_____#days	Day: _____	____/____/____
i. _____	____/____/____	_____#days	Day: _____	____/____/____
j. _____	____/____/____	_____#days	Day: _____	____/____/____
k. _____	____/____/____	_____#days	Day: _____	____/____/____
l. _____	____/____/____	_____#days	Day: _____	____/____/____
m. _____	____/____/____	_____#days	Day: _____	____/____/____
n. _____	____/____/____	_____#days	Day: _____	____/____/____
o. _____	____/____/____	_____#days	Day: _____	____/____/____
p. _____	____/____/____	_____#days	Day: _____	____/____/____
q. _____	____/____/____	_____#days	Day: _____	____/____/____
r. _____	____/____/____	_____#days	Day: _____	____/____/____
s. _____	____/____/____	_____#days	Day: _____	____/____/____
t. _____	____/____/____	_____#days	Day: _____	____/____/____
u. _____	____/____/____	_____#days	Day: _____	____/____/____
v. _____	____/____/____	_____#days	Day: _____	____/____/____
w. _____	____/____/____	_____#days	Day: _____	____/____/____
x. _____	____/____/____	_____#days	Day: _____	____/____/____
y. _____	____/____/____	_____#days	Day: _____	____/____/____
z. _____	____/____/____	_____#days	Day: _____	____/____/____

After this part is completed, enter final release date at the end of Part 1.

STAFFING INVENTORY
SUMMARY CHART OF PROPOSED STAFF COVERAGE
Record the number of staff per shift by position

Position:										
Pos. ID #:										
MONDAY										
SHIFT A										
SHIFT B										
SHIFT C										
SHIFT D										
TUESDAY										
SHIFT A										
SHIFT B										
SHIFT C										
SHIFT D										
WEDNESDAY										
SHIFT A										
SHIFT B										
SHIFT C										
SHIFT D										
THURSDAY										
SHIFT A										
SHIFT B										
SHIFT C										
SHIFT D										
FRIDAY										
SHIFT A										
SHIFT B										
SHIFT C										
SHIFT D										
SATURDAY										
SHIFT A										
SHIFT B										
SHIFT C										
SHIFT D										
SUNDAY										
SHIFT A										
SHIFT B										
SHIFT C										
SHIFT D										

**MAINE DEPARTMENT OF CORRECTIONS
CORRECTIONAL AND DETENTION FACILITIES
APPENDIX E INMATE INTAKE/SCREENING FORM**

Inmate's Name		
Date of Birth		
Sex		
Date		
Time		
Most Serious Charge	Report Number	Screening Officer

Was inmate a medical, mental health or suicide risk during any prior contact or confinement with your department?

Yes No If Yes, when: _____

Does the arresting or transporting officer believe that inmate is a medical, mental health or suicide risk now?

Yes No

OFFICERS' OBSERVATIONS

YES	NO		YES	NO	
_____	_____	Assaultive/Violent Behavior	_____	_____	Crying/Tearful
_____	_____	Loud/Obnoxious Behavior	_____	_____	Confused
_____	_____	Any Noticeable Marks/Scars	_____	_____	Uncooperative
_____	_____	Bizarre Behavior	_____	_____	Passive
_____	_____	Alcohol/Drug Withdrawal	_____	_____	Intoxicated
_____	_____	Unusual Suspiciousness	_____	_____	Scared
_____	_____	Hearing Voices/Seeing Visions	_____	_____	Incoherent
_____	_____	Observable Pain/Injuries	_____	_____	Embarrassed
_____	_____	Other Observable Signs of	_____	_____	Cooperative
Depression explain: _____					

MEDICAL HISTORY

YES	NO	
_____	_____	Are you injured? If Yes, explain: _____
_____	_____	Are you currently under a physician's care? If Yes, explain: _____
_____	_____	If female, Are you pregnant?
_____	_____	Are you currently taking any medication? If Yes, list type(s), dosage(s), and frequency: _____

DO YOU SUFFER FROM ANY OF THE FOLLOWING:

YES	NO		YES	NO	
_____	_____	Hepatitis	_____	_____	Heart Diseases
_____	_____	Shortness of Breath	_____	_____	Chest Pain(s)
_____	_____	Abdominal Pain(s)	_____	_____	Asthma
_____	_____	High Blood Pressure	_____	_____	Venereal Disease
_____	_____	Tuberculosis	_____	_____	Diabetes
_____	_____	Alcohol Addiction	_____	_____	Drug Addiction
_____	_____	Epilepsy/Blackouts/Seizures	_____	_____	Ulcers
_____	_____	Other Medical Problems and/or Diseases	_____	_____	AIDS (Optional)

explain: _____

SUICIDE ASSESSMENT

YES NO

____ Have you ever attempted suicide? If Yes, When? _____
Why? _____ How? _____

____ Have you ever considered suicide? If Yes,
When? _____ Why? _____

____ Are you now or have you ever been treated for mental health or emotional Problems? If Yes
When? _____ Inpatient: _____ Outpatient: _____ Both _____

____ Have you recently experienced a significant loss (job, relationship, death or family member/
close friend, etc.)? If Yes, explain:

____ Do you feel that there is nothing to look forward to in the immediate future
(expressing helplessness and/or hopelessness)? If Yes, explain:

____ Are you thinking of killing yourself? If Yes, explain: _____

Additional Remarks: _____

DISPOSITION

General Population

Special Watch

- 1) Supervision Levels: Active (5-15 minutes) _____ Constant _____
- 2) Housing Assignment: Cell # _____ Cell # _____ Other _____
- 3) Other precautions taken (removal of clothing, bedding, etc., If appropriate)

Medical Hospital. If inmate is later returned to facility, list any special watch recommendations.

Mental Health Service. If inmate is later returned to facility, list any special watch recommendations.

Other dispositoin/referral/transfer _____

FAILURE TO ANSWER/REFUSAL OF TREATMENT

Inmate refused to answer (circle) or unable to answer (circle and state why) the verbal response sections of this screening form.

I, _____ (print name), refuse any type of medical treatment.

SIGNATURES:

Screening

Officer: _____

Inmate: _____

Supervisor: _____

APPENDIX F **ADMISSION AND RELEASE FORM**

NAME

 Last First Middle

ISA ID CODE INMATE NUMBER/MITT: OTHER ID NUMBERS/MITT:

DATE AND TIME OF ADMISSION SOCIAL SEC. # SEX DATE OF BIRTH
 ____/____/____ Male ____/____/____
 Month Date Year Hours Time (military) Female Month Date Year

COMMITTING AUTHORITY

ADMITTING OFFICER

Name of Agency/Organization Name of Officer Name of Admitting Officer

OFFENSE/CHARGE(S) - List most serious CRIME STATUS AT ADMITTING DATE
 first, with bail or sentence CLASS
 1. Pre-arraignment ____/____/____
 2. Post-arraignment ____/____/____
 3. Pre-Sentence ____/____/____
 ____ # of additional offenses (separate page) Hold for Court ____
 Other _____

HOME ADDRESS

Street/Box City/Town State Zip Phone Number

ALIASES PLACE OF BIRTH EDUCATION

City/Town/State Last Grade Completed

RACE ____ Spanish MARTIAL STATUS ____ Single EMPLOYED? ____ Yes ____ No
 ____ Caucasian ____ Black ____ Divorced ____ Married Employer ____
 ____ Oriental ____ Indian ____ Separated ____ Widowed Length of Employment ____

WEIGHT lbs.	HEIGHT T	BUILD D	COMPLEXION N	HAIR COLOR	EYE COLOR	IDENTIFICATION MARKS
----------------	-------------	------------	-----------------	---------------	--------------	----------------------

NOTIFY IN CASE OF EMERGENCY

ADDRESS:

Name Phone City/Town State

COURT DISPOSITION (Final; Blank if unknown) (Describe additional offenses on separate sheet)

Offense Date Disposed Describe Disposition

1. _____
 2. _____
 3. _____

DATE AND TIME OF RELEASE RELEASING OFFICER CLASSIFICATION
 ____/____/____ Security Category
 Month Date Year Hour Name Min. Med. Max. Date
 Time (military) Initial ____/____/____
 Reclass ____/____/____
 Reclass ____/____/____
 Reclass ____/____/____
 Reclass ____/____/____

REASON(S) FOR RELEASE

PROBLEMS AND/OR SPECIAL NEEDS DURING CONFINEMENT



Appendix G

State of Maine

Office of the Attorney General

Death Investigation Protocol

I. BACKGROUND

A. The Attorney General is charged with the investigation and prosecution of all homicides occurring in the State of Maine. 5 M.R.S.A. § 200-A. The purpose of this protocol is to establish procedures for law enforcement agencies in cases of violent, unnatural, unexplained, suspicious, or suspected deaths. While it is implicit in these procedures that a death has occurred, it is important to note that the procedures are also applicable to those situations where there is no body, but there is evidence that a death may have occurred, as in the case of a missing person where timely implementation of these procedures is oftentimes critical.

B. Technical assistance and expertise are indispensable to the successful investigation and prosecution of homicides. This office will continue to rely upon the State Police Criminal Investigation Division (CID) as its primary homicide investigative arm with such exceptions as will be noted here or in other written instructions from this office. In Portland, the Portland Police Department is designated as the primary homicide investigative arm of this office. In Bangor, it is the Bangor Police Department. Further references to “CID” or “Criminal Investigation Division” in this protocol refer, respectively, to the Portland Police Department, the Bangor Police Department, or the State Police.

II. IMPORTANCE OF DEATH SCENE CONTROL

Control of the death scene is a primary focus of these procedures. Often, the medical examiner can gain valuable insight into the cause and manner of death, as well as the time of death, from viewing the scene and the body at the scene. Moreover, the scene is sometimes replete with subtle clues that could aid in the identification or discovery of the perpetrator. All, or a significant part, of this evidence could be lost through inadvertent disturbance of the scene by persons lacking the required expertise.

III. PROCEDURES TO BE FOLLOWED IN ALL CASES INVOLVING VIOLENT, UNNATURAL, UNEXPLAINED, SUSPICIOUS, OR SUSPECTED DEATHS

A. Initial Procedures. The first law enforcement officer arriving at the scene of a death is charged with the following duties:

1. Conduct a cursory search of the premises for the limited purpose of determining if there are other victims or perpetrators present.
2. Without disturbing the body, determine that death has in fact occurred. If there is any evidence of life, all necessary life-sustaining measures should be initiated.
3. Without disturbing the scene, make a cursory examination of the scene to determine if the death is at all suspicious. (All deaths resulting from gunshot wounds are to be considered "suspicious" until a thorough investigation has determined otherwise.) If the death is at all suspicious (or there is no body, but there is evidence that death may have occurred), the following procedures will be followed:
 - (a) Secure and protect the scene. The body should not be moved unless the body is in immediate danger of destruction or further damage.
 - (b) Notify superiors and the Chief Medical Examiner's Office, the Criminal Investigation Division, and the District Attorney. The Chief Medical Examiner will notify the Attorney General's Office. If you wish, however, you may obtain the name and telephone number of the Attorney General duty officer from the Office of the Chief Medical Examiner or State Police Dispatch enabling you to be in direct contact with the duty officer.
 - (c) Record names, addresses, telephone numbers, and other pertinent information of all persons present (they may be important witnesses) or assign another person to this task.
 - (d) Maintain a timetable of all persons arriving and leaving the scene.
 - (e) Unless circumstances require it, do not arrest or detain a suspect without prior authorization of the CID detective in charge or the Attorney General duty officer.
 - (f) If the circumstances require arresting or detaining a suspect, do not undertake questioning of the suspect without first discussing this procedure with the CID detective in charge or the Attorney General duty officer. Be prepared, if at all possible, to record by means of videotape or audiotape any statements volunteered by the suspect.

B. Nonsuspicious Deaths. If the death is of a nonsuspicious nature, the following procedures will be followed:

1. Notify superiors.
2. Notify the Chief Medical Examiner.
3. Conduct a thorough investigation following departmental procedures.
4. All violent nonsuspicious deaths, e.g., motor vehicle deaths, accidental deaths, will be reported immediately to the District Attorney and the Chief Medical Examiner.

C. Possible Suicide. When the circumstances of death suggest a possible suicide not involving a person in custody or confinement, the investigating officer should first call the Office of the Chief Medical Examiner to report the event.

1. The officer should make an initial evaluation of the scene to determine whether the following indicators of intent are present:
 - (a) Suicide note or other materials clearly indicating the decedent's desire or expectation of death (e.g., will).
 - (b) Friends or relatives who can state that there has been recent or previous suicide attempts.
 - (c) Friends, relatives, physicians who state the decedent had recently disclosed suicidal thoughts.
 - (d) Recent diagnosis of significant disabling medical disorder or chronic severe medical or mental illness.
 - (e) Recent significant change in personal circumstances such as financial loss, divorce, or other catastrophic event.
2. If two or more of the above factors are present, the case should be investigated according to departmental procedures and the procedures outlined in this protocol. The investigating officer should be present during the examination of the decedent by the local medical examiner and must ensure that a blood kit for toxicology testing is available.
3. If the investigating officer has any suspicion regarding the circumstances OR if there are not at least two of the above factors present, the officer should speak directly with the Chief Medical Examiner or Deputy Chief Medical Examiner on call to determine the need for additional investigation. In certain cases, due to the complexity of these investigations, the Office of the Chief Medical Examiner may request that the Criminal Investigation Division assist in the investigation.
4. If it is suspected that a suicide is the result of a drug overdose, the investigating officer should also consult section IV-G of this protocol.
5. Unless the evidence is conclusive as to suicide, the investigating officer is required to notify the Criminal Investigation Division.

IV. PROCEDURES FOR DEATHS WITH SPECIAL CIRCUMSTANCES

A. Fire Deaths

The State Fire Marshal is designated the official representative of the Attorney General in the investigation of fatal fires. The law enforcement officer or firefighter discovering a body in a fire is charged with notifying the State Fire Marshal and the Chief Medical Examiner. The scene shall not be disturbed or the body moved, unless the body is in immediate danger of destruction or further damage. If arson is suspected or the death is otherwise suspicious, the case should be handled as any other suspicious death, which includes notifying the Criminal Investigation Division. (See Section III above.)

B. Hunting Deaths

The State Warden Service is designated the official representative of the Attorney General in the investigation of hunting fatalities. The law enforcement officer encountering an apparent hunting fatality shall notify the State Warden Service and the Chief Medical Examiner. The State Warden Service will in turn notify the Criminal Investigation Division for assistance in conducting the investigation. The scene shall not be disturbed or the body moved until authorized, unless the body is in immediate danger of destruction or further damage.

C. Deaths while in custody or confinement

The death of an individual while in custody or confinement in a jail, holding facility, or correctional institution shall be reported immediately to the Office of the Chief Medical Examiner. In addition, the Criminal Investigation Division shall be notified. This notification is necessary for these agencies to carry out their responsibility of investigating the death to determine the cause and manner of death and whether the death is suspicious. Finally, the Inspections Divisions of the Department of Corrections shall be notified for the purpose of conducting an investigation into the operational practices, policies and procedures to determine compliance with required standards.

The death of an individual while in custody or confinement as a result of being ordered to undergo a mental health examination¹, being involuntarily committed to a mental institution on the basis of mental disease or defect², or having been taken into protective custody³ shall be reported immediately to the Office of the Chief Medical Examiner. In addition, the Criminal Investigation Division shall be notified. This notification is necessary for these agencies to carry out their responsibility of investigating the death to determine the cause and manner of death and whether the death is suspicious.

D. Police-involved deaths

The Investigation Division of the Office of the Attorney General is designated as the official representative of the Attorney General in the investigation of police-involved deaths. A "police-involved death" means a death resulting from a law enforcement officer's act or acts. Not included, however, is any motor vehicle fatality unless it results from the imposition of physical force intentionally applied. A police-involved death shall be reported immediately to the Investigation Division of the Office of the Attorney General. In addition, the Office of the Chief Medical Examiner shall be notified.

For further important information, consult the Attorney General's Protocol for the Reporting of the Use of Deadly Force by a Law Enforcement Officer.

E. Workplace deaths

The "workplace manslaughter" law became effective on September 30, 1989. 17-A M.R.S.A. § 203(1)(C). The law is applicable to those situations where an employee dies in the workplace. While not every death that occurs in the workplace is a "workplace manslaughter," all workplace deaths of other than clearly natural cause must be reported immediately to the Chief Medical Examiner. The Chief Medical Examiner's Office will notify the Criminal Division of the Attorney General's Office. While the initial scene investigation of a workplace death will continue to be the responsibility of the agency normally providing law enforcement services in the particular locale, any prosecution under the workplace manslaughter law will be brought by the Attorney General's Office. Moreover, depending on the circumstances, investigators from the Criminal Investigation Division may be

¹ Pursuant to 15 M.R.S.A. § 101-B

² Pursuant to 15 M.R.S.A. § 103

³ Pursuant to 34-B M.R.S.A. § 3862

assigned to assist in the investigation of these matters. It is also likely that investigators from the Occupational Health and Safety Administration (OSHA) or the Maine Bureau of Labor Standards (BLS) will be assigned to assist in the investigation. In the initial scene investigation of these matters, law enforcement officers are reminded to treat the situation like they would a vehicular manslaughter, securing photographs, measurements, and other evidence.

F. Child deaths

When law enforcement officers respond to the scene of a child death and foul play is suspected, the officers should follow this protocol as stated in Sections II and III above. Additionally, however, it is necessary to expand the scope of instances where a thorough scene investigation will be conducted in an attempt to determine the cause, manner and circumstances of the death of a child. A "child," for these purposes, is a person under the age of three years. The authority of the Medical Examiner in these cases is granted pursuant to statute. 22 M.R.S.A. §§ 3025 and 3028. The investigation of child death cases will be expanded beyond those situations of suspected criminal involvement. In addition to those suspicious child deaths that merit a criminal investigation, two additional categories of child deaths are included for special investigation by the Criminal Investigation Division:

1. Cases in which the cause of the child's death is not apparent. The Criminal Investigation Division will specially investigate all of these cases.
2. Selected trauma cases. The decision to specially investigate these cases will be made on a case-by-case basis by the Medical Examiner's Office.
 - a. If the decision is made to specially investigate a particular traumatic death, the Office of the Chief Medical Examiner will notify the Criminal Investigation Division. The scene should continue to be protected until a representative from the Criminal Investigation Division arrives.
 - b. If the decision is made not to specially investigate a particular traumatic death, the Office of the Chief Medical Examiner will notify the responding officer so that the scene need no longer be protected. Of course, an appropriate routine investigation is still necessary as in any medical examiner case of nonnatural death.
 - c. The purpose of the investigation, special or routine, in each case is to determine, to the extent possible, the cause, manner and circumstances of the child's death. Deaths of young children are being singled out for special investigation because of the different technical approach and types of inquiry needed in pursuing them.
3. It is important for the first responding law enforcement agency to also protect the scene in the two types of cases enumerated above, as would be done in instances of suspicious death, until a decision is made concerning the need for a special investigation.

G. Suspected Drug Overdose Deaths

The purpose of the investigation in each case is to determine, to the extent possible, the cause, manner and circumstances surrounding the drug overdose, the identity of the drug involved, and the source of the drug. When a law enforcement officer responds to the scene of a suspected drug overdose death and homicide is suspected, the officer should follow this protocol as stated in Section II and III above.

1. This includes the immediate notification of the Office of the Chief Medical Examiner.
2. In cases where homicide is not suspected, the following procedures should be followed:
 - a. If, during the preliminary stages of the investigation, it appears that the death could possibly be the result of a drug overdose, the regional supervisor for the Maine Drug

Enforcement Agency (MDEA) shall be notified and the supervisor will determine if MDEA agents will be assigned to assist in the investigation. The MDEA supervisor will immediately notify the regional Attorney General Drug Task Force prosecutor (or in the case Aroostook County, the District Attorney) of the death and the ensuing investigation.

- b. In all suspected drug overdose deaths, a thorough scene investigation and victimology should be conducted in an attempt to determine the cause, manner and circumstances surrounding the death. This should include witness statements, inventory of any drugs or drug paraphernalia, information about the deceased's medical or mental health history, and identification of all known treating physicians. Of course, an appropriate routine level investigation is still necessary, as in any death by other than natural causes.
- c. Because in suspected drug overdose cases, the cause of death is not readily apparent, and may not be for several weeks pending the results of the toxicology, these cases will be investigated until a point where the investigating agency and the Office of Chief Medical Examiner have determined no further investigation is necessary and/or the cause of death is determined. The Office of Chief Medical Examiner will notify the appropriate investigating agency when the cause of death has been determined.

V. Public Statements. Public statements released in homicide or suspected homicide cases are released under the authority of the Office of the Attorney General. The applicable Criminal Investigation Division may release information in these cases after consultation with the Office of the Attorney General and the Office of the Chief Medical Examiner.

A. The following types of information should not be released:

- 1. Information as to the character or reputation or prior criminal record of an accused person or a prospective witness.
- 2. Admissions, confessions, or a statement or alibi attributable to any accused person, except as otherwise contained in a public record.
- 3. The performance or results of tests or the desire, agreement, or refusal of the accused or any potential witness to take or perform a test.
- 4. Statements or information concerning the credibility or anticipated testimony of prospective witnesses.
- 5. The possibility of a plea to the offense charged or to a lesser offense, or other disposition.
- 6. Opinions concerning evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be used at trial.
- 7. Opinions as to the guilt of the accused, the evidence, or the merits of the case.

B. The following guidelines are examples of information that may be released in death investigations. Again, in cases within the jurisdiction of the Office of the Attorney General, the applicable Criminal Investigation Division or designated agency will handle releases.

- 1. The identity of the decedent, if confirmed and not in question, may be released after family or next of kin has been notified. If there is any question as to the identity, it may not be released without authorization of the Office of Chief Medical Examiner.

2. Information regarding the cause and manner of death may be released only with authorization of the Office of Chief Medical Examiner and the applicable prosecuting agency.
3. A description of the offense, i.e., homicide, hunting fatality, apparent suicide, suspicious death, accidental, and time and place thereof, that the investigation is in progress, and the identity of the investigating agency.
4. A warning to the public of any dangers.
5. A request for assistance in apprehending a suspect or assistance in other matters, provided that the information released is necessary to accomplish that purpose.
6. Except in the case of a juvenile, the name of the accused, age, residence, employment, and marital status.
7. The circumstances immediately surrounding the arrest, including the time and place of the arrest, resistance, pursuit, possession and use of weapons.
8. The substance or text of the charge, such as a complaint, indictment, information, and where appropriate, the identity of the complainant.
9. Information contained in a public record, stated so as to attribute the information to public record.
10. The scheduling or result of any step or action in the judicial proceeding.

Dated: April 14, 2003

G. STEVEN ROWE
Attorney General

Further Information. Questions about this protocol may be addressed to William R. Stokes, Chief of the Criminal Division, Office of the Attorney General, 6 State House Station, Augusta, ME 04333, (207) 626-8800.

SECTION II.b.
STANDARDS FOR HOLDING FACILITIES
(Up To 72 Hours)

Section II b

STANDARDS FOR HOLDING FACILITIES (6 TO 72 HOURS DETENTION)

H.1. Each facility shall develop and maintain post orders describing the operating practices of the holding facility. At a minimum, written post orders shall address the following standards:

- a. Holding facility logs;
- b. Completion of the monthly population report;
- c. Evacuation procedures;
- d. Use of restraint equipment;
- e. Searches;
- f. Observation/supervision;
- g. Admission and release procedures;
- h. Separation of adults from juveniles and males from females;
- i. Medical screening form;
- j. Providing of bedding, linen and personal hygiene items;
- k. Inmate property control;
- l. Location of First Aid Kits;
- m. Emergency medical care;
- n. Daily work routine;
- o. Arrangements for clean laundry; and
- p. shower schedule.

H.2. Post orders shall be located at each staff post.

H.3. Personnel who have Holding Facility responsibilities shall receive training in the execution of written procedures or post orders prior to being assigned to supervise prisoners being held.

H.4. Staff training shall be documented in staff training or personnel files.

H.5. All personnel with Holding Facility responsibilities shall be certified in basic first-aid.

H.6. Holding facility logs shall be maintained, and contain the following:

- a. Personnel on duty who are responsible for the holding facility;
- b. Time and results of prisoner supervision and counts;
- c. The time, date, and names of prisoners received and/or discharged, and the reason for the same;
- d. Time all meals served;
- e. Date/time medication is administered and by whom; and
- f. All shift activities, including any action taken handling routine or unusual incidents or occurrences.

H.7. The Holding Facility/SDA Monthly Population Report (Appendix H) shall be completed for each facility. A copy of the monthly report shall be submitted to the Department of Corrections at the end of each month.

H.8. A written evacuation plan shall be developed, and shall show the means of egress from the holding area and facility. Appropriate sections of the evacuation plan shall be posted in the holding area.

H.9. Weapons shall not be permitted within the security perimeter of the holding area. Secure storage for weapons shall be provided outside of the security perimeter of the holding area.

H.10. A security perimeter shall be established which shall prevent access to and escape from the holding area.

H.11. Audio monitoring and communications shall be maintained between control/dispatch centers and all prisoner holding areas.

H.12. The use of restraint equipment on a prisoner in a cell shall be governed by written post orders. The use of restraint equipment within a holding cell shall be followed by a written report to the Chief or administrator within 24 hours, and shall include justification for the use of restraints.

H.13. A duplicate set of emergency keys shall be clearly marked and readily available for use in emergency situations. Staff shall be able to release prisoners in emergency situations.

H.14. A system shall govern the control and use of keys. Keys shall be securely stored and distributed by a check-out/check-in system.

H.15. Searches of prisoners to control contraband and maintain security shall be governed by written post orders.

H.16. Strip searches shall be conducted in compliance with the rules promulgated by the Department of the Attorney General as required by 5 M.R.S.A. Sec. 200-G. At a minimum, strip searches shall:

- a. Be conducted only by, and in the presence of, staff of the same sex as the prisoner;
- b. Be conducted in private and in a manner that preserves the dignity of the inmate;
- c. Be conducted at the time of arrest or admission to the facility; or when a pre-trial prisoner is charged or held for murder, or a Class A, B, or C offense;
- d. Not be conducted at the time of arrest or admission to a facility of a pre-trial prisoner charged with a Class D, E, or other misdemeanor offense unless the officer has reasonable suspicion to believe that the prisoner is concealing contraband and is about to come into contact with inmates of a facility;
- e. In the case of a prisoner taken into custody for the execution of a sentence or; already a prisoner of a holding facility, he or she may be subject to strip search at any time, to include when the prisoner enters or leaves a security perimeter; and
- f. All strip searches shall be recorded in the facility log and shall include:
 1. Name of the prisoner and the staff person conducting the strip search and other persons present;
 2. In the cases where required under 5 MRSA, Section 200G, justification for the strip search.

H.17. All prisoners shall be searched thoroughly whenever entering or leaving the holding area. Any strip search shall be conducted in private and in a manner that preserves the dignity of the inmate; by a staff member of the same sex in an area completely free from members of the opposite sex; and under sanitary conditions.

- H.18. The use of physical force by staff members shall be limited to justifiable instances of self-protection, protection of others, protection of property, prevention of escapes; and enforcement of facility rules as outlined in Title 17-A MRSA Section 107. Any use of physical force against a prisoner shall be followed by a written report to the Chief or administrator within 24 hours.
- H.19. No staff member shall enter a holding cell of a high-risk prisoner unless assistance is available from another staff member, and/or unless the entry is monitored.
- H.20. Practices governing the supervision of female prisoners by female staff and male prisoners by male staff shall be required in written post orders.
- H.21. Staff posts shall be located in or immediately adjacent to holding areas in order to permit staff to hear and respond promptly to problems in the holding areas.
- H.22. All prisoners shall be personally observed by a staff member at least every 15 minutes. Continuous observation with the ability to immediately intervene shall be provided in the cases of prisoners who are out of control, suicidal, intoxicated or who have other special needs. The time and results of all such checks shall be logged.
- H.23. The Medical Screening Form (Appendix I) shall be completed for each prisoner upon admission except in those cases where a prisoner has been transferred from a jail or correctional facility.
- H.24. A prisoner shall be provided bedding and access to personal hygiene items when necessary if held in the facility over night.
- H.25. Prisoner property, clothing, and bedding may be taken from a prisoner to prevent self-harm when prisoner is intoxicated, out of control, or suicidal.
- H.26. All money and valuables shall be taken from prisoners at the time of admission and securely stored. An itemized inventory shall be completed and signed by the prisoner and the admitting staff member at the time items are taken and/or returned to the prisoner.
- H.27. Female prisoners shall be housed separate from male prisoners. Female prisoners shall be held only in holding facilities approved by the Department of Corrections.
- H.28. Juveniles may be held in facilities approved by the Department of Corrections up to 24 hours, excluding weekends and legal holidays, pursuant to Title 15 MRSA.
- H.29. Juveniles shall be housed separated by sight and sound from adult prisoners.
- H.30. Staff members shall not have a direct view of shower or toilet areas occupied by prisoners of the opposite sex.
- H.31. First-aid kits shall be located in or near the holding area.
- H.32. Emergency medical care shall be available to prisoners. Written post-orders shall describe arrangements for the same.
- H.33. The death of a prisoner shall be reported immediately to the Attorney General's Office and the State Medical Examiner. The death of a prisoner shall be reported to the Department of Corrections by telephone within 24 hours. A written report, including the prisoner's name, age, address, reason and authority for

incarceration, cause of death, time of death, time last seen by a staff member, and the time death was reported, shall be received by the Department within 72 hours of the death.

H.34. Prisoners held during meal times shall be provided with a meal.

H.35. The holding area and each cell shall be kept clean, sanitary, and free of vermin.

H.36. Under no circumstances shall prisoners sleep on mattresses placed directly on the floor.

H.37. Cleaning and janitorial supplies shall be kept secure and not stored in the holding area.

H.38. A daily routine of work necessary to keep the holding facility clean shall be maintained.

H.39. Painted surfaces shall be painted with fire resistant class A paint and with a color which reflects light and is easily cleaned. Painted surfaces shall not be scaled or deteriorated.

H.40. All facility furnishings shall be constructed of flame retardant, easily cleanable materials which do not emit toxic fumes if burned.

H.41. Toilets, wash basins, sinks, showers, and other sanitary equipment in inmate areas shall be kept clean.

H.42. Toilet paper shall be available in prisoner toilet areas.

H.43. Prisoner holding areas shall be no less than 65 degrees F and no more than 85 degrees F.

H.44. Sufficient supplies of hot and cold water shall be available.

H.45. Arrangements shall be made for laundry services sufficient to allow clean linen and bedding for prisoners.

H.46. Linen shall be changed and laundered before issued to another prisoner.

H.47. Blankets shall be laundered before being reissued to another prisoner.

H.48. Prisoners shall be provided access to shower facilities to maintain personal hygiene.

FACILITIES

H.49. The standards set forth in the NFPA Life Safety Code, published by the National Fire Protection Association and adopted by the Maine Department of Public Safety, shall be followed in all holding facilities. Documentation of compliance from the State Fire Marshal's Office shall be kept on file.

H.50. All cells in existing facilities shall have at least 7 feet between floors and ceilings; cells in new or renovated facilities shall have at least 8 feet between floors and ceilings.

H.51. Light levels in cells shall be at least 15 foot-candles at the level of 2 feet above the bed and shall not exceed 5 foot-candles during sleeping hours.

H.52. All cells shall be designed and used for single occupancy and shall have a minimum of 40 square feet of floor space.

H.53. Wherever location offers the opportunity for observation of prisoner, holding, or activity areas by the public, provisions shall be made to prevent direct views.

H.54. Holding facilities shall have documentation on file that verifies they comply with applicable plumbing, electrical, and zoning codes.

H.55. All fixtures, furnishings, and equipment selected shall be designed for detention use.

H.56. Each cell in detention areas built or renovated after December of 1992 shall have a toilet. In those cells where toilets are not provided, there shall be no less than one toilet for every six prisoners, and staff shall provide prisoners ready access to toilets and wash basins at all hours.

H.57. Wash basins with hot and cold running water shall be provided in all cells.

H.58. Operable shower facilities with hot and cold running water shall be available for inmate use.

H.59. Each cell shall have a bed or bunk.

H.60. All inmate cells shall have air circulation of at least 10 cubic feet of fresh or purified air-per-minute.

H.61. Key planning and design documents shall be submitted to the Department for review and comment at the following stages:

- a. At the completion of the schematic design phase;
- b. At the completion of each set of preliminary plans; and
- c. At the completion of the construction documents phase.

The Department shall review all documents to determine if compliance with standards is achieved and shall certify compliance in writing prior to continuation of the design and construction process.

Appendix H

MAINE DEPARTMENT OF CORRECTIONS HOLDING FACILITY/SDA MONTHLY POPULATION REPORT

Facility _____

Month/Year _____

Name: Last, First	DOB	Adult	Juv	Offense Most	Sex	Race	Date/Time into	Date Time	Released to:	Juv. ONLY Hours Held	
		Please Check one:								Non Sec.	Emg Det.

Race: A=Asian B=African American C=Caucasian H=Hispanic I=Native American O=Other

**MAINE DEPARTMENT OF CORRECTIONS
CORRECTIONAL AND DETENTION FACILITIES
APPENDIX I INMATE INTAKE/SCREENING FORM**

Inmate's Name		
Date of Birth		
Sex		
Date		
Time		
Most Serious Charge	Report Number	Screening Officer

Was inmate a medical, mental health or suicide risk during any prior contact or confinement with your department?

Yes No If Yes, when: _____

Does the arresting or transporting officer believe that inmate is a medical, mental health or suicide risk now?

Yes No

OFFICERS' OBSERVATIONS

YES	NO		YES	NO	
_____	_____	Assaultive/Violent Behavior	_____	_____	Crying/Tearful
_____	_____	Loud/Obnoxious Behavior	_____	_____	Confused
_____	_____	Any Noticeable Marks/Scars	_____	_____	Uncooperative
_____	_____	Bizarre Behavior	_____	_____	Passive
_____	_____	Alcohol/Drug Withdrawal	_____	_____	Intoxicated
_____	_____	Unusual Suspiciousness	_____	_____	Scared
_____	_____	Hearing Voices/Seeing Visions	_____	_____	Incoherent
_____	_____	Observable Pain/Injuries	_____	_____	Embarrassed
_____	_____	Other Observable Signs of	_____	_____	Cooperative
Depression explain: _____					

MEDICAL HISTORY

YES	NO	
_____	_____	Are you injured? If Yes, explain: _____
_____	_____	Are you currently under a physician's care? If Yes, explain: _____
_____	_____	If female, Are you pregnant? _____
_____	_____	Are you currently taking any medication? If Yes, list type(s), dosage(s), and frequency: _____

DO YOU SUFFER FROM ANY OF THE FOLLOWING:

YES	NO		YES	NO	
_____	_____	Hepatitis	_____	_____	Heart Diseases
_____	_____	Shortness of Breath	_____	_____	Chest Pain(s)
_____	_____	Abdominal Pain(s)	_____	_____	Asthma
_____	_____	High Blood Pressure	_____	_____	Venereal Disease
_____	_____	Tuberculosis	_____	_____	Diabetes
_____	_____	Alcohol Addiction	_____	_____	Drug Addiction
_____	_____	Epilepsy/Blackouts/Seizures	_____	_____	Ulcers
_____	_____	Other Medical Problems and/or Diseases	_____	_____	AIDS (Optional)

explain: _____

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SUICIDE ASSESSMENT

YES NO

____ Have you ever attempted suicide? If Yes, When? _____
Why? _____ How? _____

____ Have you ever considered suicide? If Yes,
When? _____ Why? _____

____ Are you now or have you ever been treated for mental health or emotional Problems? If Yes
When? _____ Inpatient: _____ Outpatient: _____ Both _____

____ Have you recently experienced a significant loss (job, relationship, death or family member/
close friend, etc.)? If Yes, explain:

____ Do you feel that there is nothing to look forward to in the immediate future
(expressing helplessness and/or hopelessness)? If Yes, explain:

____ Are you thinking of killing yourself? If Yes, explain: _____

Additional Remarks: _____

DISPOSITION

General Population

Special Watch

- 1) Supervision Levels: Active (5-15 minutes) _____ Constant _____
- 2) Housing Assignment: Cell # _____ Cell # _____ Other _____
- 3) Other precautions taken (removal of clothing, bedding, etc., If appropriate)

Medical Hospital. If inmate is later returned to facility, list any special watch recommendations.

Mental Health Service. If inmate is later returned to facility, list any special watch recommendations.

Other dispositoin/referral/transfer _____

FAILURE TO ANSWER/REFUSAL OF TREATMENT

Inmate refused to answer (circle) or unable to answer (circle and state why) the verbal response sections of this screening form.

I, _____ (print name), refuse any type of medical treatment.

SIGNATURES:

Screening

Officer: _____ Inmate: _____

Supervisor: _____

SECTION II.c
STANDARDS FOR SHORT-TERM
DETENTION FACILITIES (Up To 6 Hours)

SECTION II c

STANDARDS FOR SHORT-TERM DETENTION AREA (UP TO 6 HOUR DETENTION)

SDA.1 Post orders shall be developed and maintained for each detention area describing the operational practices of the area. At a minimum, written post orders shall include the following:

- a. Maintenance of detention area log;
- b. Completion and submission of monthly prisoner population report forms;
- c. Evacuation procedures;
- d. Searches;
- e. Supervision/Observation of prisoners;
- f. Booking and release procedures;
- g. Separation of adults from juveniles, and male from female;
- h. Prisoner property control;
- i. Location of First Aid Kits; and
- j. Emergency medical care.

SDA.2 Post orders shall be located at each staff post in the detention area.

SDA.3 All staff members involved with detention shall receive training in the execution of written post orders and emergency plans, which shall be documented in staff personnel or training files.

SDA.4 Detention area logs shall be maintained by each shift shall contain the following:

- a. Personnel on duty who are responsible for the holding facility;
- b. Time and results of prisoner supervision and counts;
- c. The date, time, and names of all prisoners booked/released, and the reason for the same;
- d. Shift activities, including any action taken on handling routine or unusual incidents or occurrences; and
- e. Notation of problems, disturbances, and distribution and use of emergency and security equipment.

SDA.5 The Holding Facility/SDA Monthly Population Report (Appendix J) shall be completed and submitted to the Department of Corrections at the end of each month.

SDA.6 The standards set forth in the NFPA Life Safety Code, published by the National Fire Protection Association and adopted by the Maine Department of Public Safety, shall be followed in all holding facilities. Documentation of compliance from the State Fire Marshal's Office shall be kept on file.

SDA.7 A written evacuation plan shall be developed and shall show the means of egress from the detention area and facility. Appropriate sections of the evacuation plan shall be posted in the detention area.

SDA.8 There shall be a security perimeter that prevents access to or egress from the detention area by unauthorized persons.

SDA.9 There shall be audio monitoring/communication system between a 24 hours manned staff post and prisoner detention areas.

SDA.10 All staff members shall be familiar with the locking system of the detention area and shall be able to release prisoners immediately in the event of a fire or other emergency. A duplicate set of keys shall be readily available for emergency situations.

SDA.11 Weapons shall not be permitted within the security perimeter of the detention area. Secure storage for weapons shall be provided outside of the security perimeter of the detention area.

SDA.12 Detention staff posts shall be located in or immediately adjacent to prisoner detention areas to permit staff to hear and respond promptly to problems in the areas.

SDA.13 All prisoners shall be personally observed by a staff member at least every 15 minutes; the time of all such checks. Observation with the ability to immediately intervene shall be provided for prisoners who are out of control, suicidal, intoxicated, or who have other special needs.

SDA.14 Female prisoners shall be housed separated by sight and sound from male inmates.

SDA.15 Juveniles shall be separated by sight and sound from all adult prisoners. Juveniles shall only be held in a detention area in compliance with Maine Statue. A staff post must be located in such a way as to provide direct observation with the ability to immediately intervene.

SDA.16 All searches of prisoners shall be conducted in private and in a manner that preserves the dignity of the prisoner, by a staff member of the same sex in an area completely free from members of the opposite sex.

SDA.17 Strip searches shall be conducted in compliance with the rules promulgated by the Department of the Attorney General as required by 5 M.R.S.A. Sec. 200-G. At a minimum, strip searches shall:

- a. Be conducted only by, and in the presence of, staff of the same sex as the prisoner;
- b. Be conducted in private and in a manner that preserves the dignity of the inmate;
- c. Be conducted at the time of arrest or admission to the facility; or when a pre-trial prisoner is charged or held for murder, or for a Class A, B or C offense;
- d. Not be conducted at the time of arrest or admission to a facility of a pre-trial prisoner charged with a Class D, E, or other misdemeanor offense unless the officer has reasonable suspicion to believe that the prisoner is concealing contraband and is about to come into contact with inmates of a facility.
- e. In the case of a person taken into custody for the execution of a sentence or already a prisoner of a detention facility, he or she may be subject to a strip search at any time, to include when the prisoner enters or leaves a security perimeter.
- f. All strip searches shall be recorded in the facility activity log(s), to include:
 1. Name of the prisoner and the staff person conducting the strip search and other persons present;
 2. In the cases where required under 5 MRSA, Section 200G, justification for the strip search.

SDA.18 First-aid kits shall be located in or near the detention area.

SDA.19 Emergency medical care shall be available at all times.

SDA.20 Cells shall be cleaned after each use. There shall be a sanitation inspection of each cell after each use, including careful check for vermin.

SDA.21 Toilets, wash basins with hot and cold water, and other sanitary equipment shall be kept clean and in working order.

SDA.22 Detention area temperatures shall be no less than 65 degrees F. and no more than 85 degrees F.

SDA.23 All cells shall be designed and used for single occupancy and shall have a minimum of 40 square feet of floor space.

SDA.24 Each cell in detention areas built or renovated after December of 1992 shall have a toilet. In those cells where toilets are not provided, there shall be no less than one toilet for every six prisoners, and staff shall provide prisoners ready access to toilets and wash basins at all hours.

SDA.25 Each cell shall have a bed and/or a chair/bench.

SDA.26 The county or municipality shall conduct preliminary research into current practices and available resources prior to committing funds for design or construction of renovations or new facilities. Key planning and design documents shall be submitted to the Department for review and comment during the planning and design process. The Department shall review all documents to determine whether compliance with standards is achieved and shall certify compliance in writing.

SDA.27 The Department shall be informed in writing when construction is 75% completed so that an on-site inspection can be made to determine standards compliance. Final inspection of the completed facility shall be made, and the Department shall certify compliance before a new facility is placed in use or a renovated area is occupied.

**MAINE DEPARTMENT OF CORRECTIONS
HOLDING FACILITY/SDA MONTHLY POPULATION REPORT
APPENDIX J**

Facility_____

Month/Year_____

Name: Last, First	DOB	Adult Juv		Offense Most	Sex	Race	Date/Time into	Date Time	Released to:	Juv. ONLY Hours Held	
		Please Check one:								Non Sec.	Emg Det.

Race: A=Asian B=African American C=Caucasian H=Hispanic I=Native American O=Other

**MAINE DEPARTMENT OF CORRECTIONS
CORRECTIONAL AND DETENTION FACILITIES
APPENDIX K INMATE INTAKE/SCREENING FORM**

Inmate's Name		
Date of Birth		
Sex		
Date		
Time		
Most Serious Charge	Report Number	Screening Officer

Was inmate a medical, mental health or suicide risk during any prior contact or confinement with your department?

Yes No If Yes, when: _____

Does the arresting or transporting officer believe that inmate is a medical, mental health or suicide risk now?

Yes No

OFFICERS' OBSERVATIONS

YES	NO		YES	NO	
_____	_____	Assaultive/Violent Behavior	_____	_____	Crying/Tearful
_____	_____	Loud/Obnoxious Behavior	_____	_____	Confused
_____	_____	Any Noticeable Marks/Scars	_____	_____	Uncooperative
_____	_____	Bizarre Behavior	_____	_____	Passive
_____	_____	Alcohol/Drug Withdrawal	_____	_____	Intoxicated
_____	_____	Unusual Suspiciousness	_____	_____	Scared
_____	_____	Hearing Voices/Seeing Visions	_____	_____	Incoherent
_____	_____	Observable Pain/Injuries	_____	_____	Embarrassed
_____	_____	Other Observable Signs of	_____	_____	Cooperative
Depression explain: _____					

MEDICAL HISTORY

YES	NO	
_____	_____	Are you injured? If Yes, explain: _____
_____	_____	Are you currently under a physician's care? If Yes, explain: _____
_____	_____	If female, Are you pregnant? _____
_____	_____	Are you currently taking any medication? If Yes, list type(s), dosage(s), and frequency: _____

DO YOU SUFFER FROM ANY OF THE FOLLOWING:

YES	NO		YES	NO	
_____	_____	Hepatitis	_____	_____	Heart Diseases
_____	_____	Shortness of Breath	_____	_____	Chest Pain(s)
_____	_____	Abdominal Pain(s)	_____	_____	Asthma
_____	_____	High Blood Pressure	_____	_____	Veneral Disease
_____	_____	Tuberculosis	_____	_____	Diabetes
_____	_____	Alcohol Addiction	_____	_____	Drug Addiction
_____	_____	Epilepsy/Blackouts/Seizures	_____	_____	Ulcers
_____	_____	Other Medical Problems and/or Diseases	_____	_____	AIDS (Optional)

explain: _____

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SUICIDE ASSESSMENT

YES NO

____ Have you ever attempted suicide? If Yes, When? _____
Why? _____ How? _____

____ Have you ever considered suicide? If Yes,
When? _____ Why? _____

____ Are you now or have you ever been treated for mental health or emotional Problems? If Yes
When? _____ Inpatient: _____ Outpatient: _____ Both _____

____ Have you recently experienced a significant loss (job, relationship, death or family member/
close friend, etc.)? If Yes, explain:

____ Do you feel that there is nothing to look forward to in the immediate future
(expressing helplessness and/or hopelessness)? If Yes, explain:

____ Are you thinking of killing yourself? If Yes, explain: _____

Additional Remarks: _____

DISPOSITION

General Population

Special Watch

- 1) Supervision Levels: Active (5-15 minutes) _____ Constant _____
- 2) Housing Assignment: Cell # _____ Cell # _____ Other _____
- 3) Other precautions taken (removal of clothing, bedding, etc., If appropriate)

Medical Hospital. If inmate is later returned to facility, list any special watch recommendations.

Mental Health Service. If inmate is later returned to facility, list any special watch recommendations.

Other dispositoin/referral/transfer _____

FAILURE TO ANSWER/REFUSAL OF TREATMENT

Inmate refused to answer (circle) or unable to answer (circle and state why) the verbal response sections of this screening form.

I, _____ (print name), refuse any type of medical treatment.

SIGNATURES:

Screening

Officer: _____ Inmate: _____

Supervisor: _____

SECTION III
STANDARDS FOR MINIMUM
SECURITY RESIDENTIAL FACILITIES

MAINE DEPARTMENT OF CORRECTIONS

SECTION III. MINIMUM SECURITY RESIDENTIAL FACILITIES

These standards have been established by the Maine Department of Corrections, pursuant to 34-A MRSA, section 1208-A to cover all facilities established by a county pursuant to 30-A MRSA, section 1658 or minimum security facilities.

Standard #1. Each minimum-security residential facility shall be managed by a supervisory level staff person.

Standard #2. Each minimum security residential facility shall have sufficient staff on duty to provide inmate supervision. A minimum-security residential facility shall, at a minimum, be staff secure.

Standard #3. Only those inmates who have been sentenced to a county jail, and pose no risk to the community are classified as minimum-security or less and may be housed in a minimum-security residential facility. Classification assignments shall be based on objective, quantifiable, and verifiable assessments.

Standard #4. Inmates shall not be placed in a minimum-security residential facility solely for the purpose of housing. All inmates living in a minimum-security residential facility shall be participating in a structured program of restitution, work, education, or treatment.

Standard #5. Each minimum-security residential facility shall establish rules, regulations, and conditions governing the behavior of the inmates who participate in the program. Before being placed in a minimum-security residential facility, each inmate shall sign a copy of the rules and regulations verifying that the inmate understands and is willing to abide by these rules, regulations, and conditions.

Standard #6. Each minimum-security residential facility must comply with the Life Safety Code requirements adopted by the Department of Public Safety, State Fire Marshal's Office. Annual inspections by a local fire department or the State Fire Marshal's Office to verify compliance with the Life Safety Code shall be conducted. Reports resulting from these inspections shall be kept on file at the facility.

Standard #7. Each minimum-security residential facility shall post plans for emergency evacuation of the facility in areas accessible to both staff and inmates. Fire drills shall be conducted semiannually, and a written record of the same shall be kept on file.

Standard #8. Each minimum-security residential facility shall have written practices or procedures for providing emergency medical services. At least one staff person on duty shall be certified in CPR.

Standard #9. Each minimum-security residential facility must comply with existing local and state building and zoning codes. Documentation verifying compliance shall be kept on file.

Standard #10. Each minimum-security residential facility shall maintain a housekeeping and maintenance plan to ensure that the facility is clean and in good repair.

Standard #11. Each minimum-security residential facility shall maintain a written schedule of daily inmate programs and activities.

Standard #12. Each minimum-security residential facility shall maintain a log of facility activities. At a minimum, this log shall include:

- a. The names and numbers of staff on duty;
- b. All admissions to and releases from the facility;
- c. The number of inmates in house and outside the facility;
- d. All routine activities;
- e. All emergency or unusual circumstances or activities;
- f. Inmate counts; and
- g. The names of all visitors to the facility.

Standard #13. Each minimum-security residential facility shall maintain a system to account for all inmates assigned to the facility as a part of each shift change.

Standard #14. Each minimum-security residential facility shall provide, at a minimum, 25 square feet of sleeping area per inmate partitioned from other common areas. Female inmates shall be provided sleeping quarters separate from male inmates' sleeping quarters.

Standard #15. Each minimum-security residential facility shall provide 15 square feet for dayroom or lounge space per inmate.

Standard #16. Each minimum-security facility shall have adequate multipurpose space for group programs and activities.

Standard #17. Each minimum-security residential facility shall provide 1 showerhead per 8 inmates. NOTE: In temporary residential facilities, used for no more than 48 hours, the ratio of showers to inmates can be accomplished through scheduling.

Standard #18. Each minimum-security residential facility shall provide 1 toilet per 10 inmates. Half of the required toilets may be substituted for by urinals in a facility having only male inmates.

Standard #19. Each minimum-security residential facility shall provide 1 wash basin per 10 inmates.

Standard #20. When food services are provided in the facility, there shall be adequate space and equipment for dining and food services.

Standard #21. Each minimum-security residential facility shall provide adequate laundry services.

Standard #22. Plans to construct or renovate a minimum-security residential facility shall be submitted to the Department of Corrections for advance review and approval. At a minimum, these plans shall include the following:

- a. A mission statement for the facility;
- b. Floor plans for the facility;
- c. Proposed staffing for the facility; and
- d. Verification of compliance with Life Safety Codes and local building codes and zoning.

SECTION IV
STANDARDS FOR HOME RELEASE
AND ELECTRONIC MONITORING

MAINE DEPARTMENT OF CORRECTIONS

SECTION IV. STANDARDS FOR HOME RELEASE
AND ELECTRONIC MONITORING PROGRAMS FOR COUNTY JAIL INMATES

Standard #01 At a minimum, electronic monitoring programs shall be managed/coordinated by a supervisory-level staff person.

Standard #02 Electronic monitoring services provided to or for a county must be under a written contract that meets minimum requirements and standards established pursuant to Title 30-A MRSA, Section 1659, and enforced pursuant to Title 34-A, Section 1208.

Standard #03 County staff or service providers responsible for electronic monitoring programs shall receive training in the following areas:

- a. Theory, use, and limitations of electronic monitoring equipment;
- b. Installation, attachment, and testing of electronic equipment in cases where a staff person is responsible for such, there must be written documents in the staff person's training or personnel file verifying that the person has been qualified to do so;
- c. Equipment use and operational practices for monitoring and supervising inmates participating in an electronic monitoring program; and
- d. Statutory requirements for Home-Release Electronic Monitoring Program pursuant Title 30-A MRSA, Section 1659.

Standard #04 Counties or service providers operating Home-Release Electronic Monitoring programs shall include and maintain provisions for liability insurance.

Standard #05 Electronic monitoring systems shall include backup equipment and software for use in the case of system failure. Procedures for system recovery shall be maintained.

Standard #06 Electronic monitoring equipment and software shall be covered by a system maintenance plan.

Standard #07 Electronic monitoring equipment shall be located in an area or post staffed or monitored 24 hours a day.

Standard #08 Electronic monitoring systems shall include both active (continuous signal by transmitter) and passive (programmed contact such as voice verification) monitoring.

Standard #09 Periodic field contacts between staff and inmates participating in Home-Release Monitoring programs shall be made. The frequency of contact will depend on the level of supervision needed.

Standard#10 Written documentation, including the time, date, results, and any necessary action taken, shall be kept on file for all inmates monitored electronically as well as on field contacts made by staff.

INMATE ELIGIBILITY

Standard #11 Only those inmates who have been found eligible and have a request signed by the Sheriff may be granted the privilege of participating in a Home-Release Monitoring Program.

Prior to releasing an inmate for participation in a home-release monitoring program the Sheriff shall provide notice of the one intended release to the sentencing court, as required by Maine Statute.

Standard #12 Inmates may request to and, if approved , participate in a Home-Release Monitoring Program if:

- a. The inmate's residence is located in a county in which a Home-Release Monitoring Program is established;
- b. The offense for which the inmate is serving a sentence is not an offense under Title 17-A, chapter 11;
- c. The inmate has a verified security classification of medium or minimum;
- d. The inmate serves a minimum of 1/3 of the inmate's confinement when sentenced to less than 30 days, prior to participating in a Home-Release Monitoring Program. In the case of inmates sentenced to 30 days or more, the inmate serves a minimum of 1/3 of the inmate's confinement prior to participating in a Home-Release Monitoring Program. In calculating the amount of time served, good time earned under Title 17-A, section 1253 and time reductions earned for charitable or public works projects under Title 30-A, section 1606 must be counted;. and
- e. The inmate agrees to abide by the conditions of release, pursuant to this section, and any conditions imposed by the sheriff or jail administrator.

PARTICIPATION REQUIREMENTS AND CONDITIONS

Standard #13 The following requirements apply to each inmate participating in a Home Release Monitoring Program:

- a. The inmate must be involved in a structured program of work, education, or treatment;
- b. The inmate must, at a minimum, be supervised on an intermittent basis (at least 3 times a week) or monitored electronically during release or curfew hours when an inmate must be at that inmate's residence or place of employment as determined by the jail administrator;
- c. The jail administrator or designee must give advance approval for any travel. Such travel shall be limited to a specific time and place directly related to approved employment, formal education, job search, public service work, treatment, or other specific purposes;
- d. The inmate must agree to searches of the inmate's person, residence, electronic monitoring equipment, papers, and effects without warrant and without probable cause, for items prohibited by law or by conditions of participation in this program or otherwise subject to seizure or inspection, upon the request of the jail administrator, or designee, without prior notice. The sheriff or jail administrator may prohibit an inmate from residing with anyone who does not consent to this requirement;
- e. The inmate may not use illegal drugs or other illegal substances, may not use alcohol, and may not abuse any legal substance;

- f. The inmate must submit to urinalysis, breath testing, or any other chemical test without probable cause, at the request of the jail administrator or designee;
- g. Any inmate arrested by a law enforcement officer must inform the officer of the inmate's status as an inmate participating in a Home-Release Monitoring Program. The inmate must notify the jail administration of the contact within 12 hours of any such contact;
- h. The inmate may not violate state or federal laws or any condition of the inmate's release;
- i. The inmate must pay the cost of the inmate's participation in a Home-Release Monitoring Program when required by the Sheriff;
- j. The inmate must sign a statement verifying that the inmate understands and agrees to all of the conditions of release and participation in a Home-Release Monitoring Program.

TERMINATION FROM HOME-RELEASE MONITORING

Standard #14 The Sheriff or service provider shall establish written procedures for the termination of an inmate who violates the conditions of his/her release or the law. The Sheriff, jail administrator, or designee may terminate an inmate's participation at any time and return the inmate to confinement for any violations of the conditions of release or the law. These procedures shall include provisions that permit the inmate to petition the District or Superior Court for review of the termination.

PROGRAM FUNDING AND ACCOUNTS

STANDARD #15 All funds generated as a result of participation in a Home-Release Monitoring Program must be used to support the Home-Release Monitoring Program. The County Treasurer shall establish a Home-Release Monitoring Program Account for all revenues generated and expenditures made. Funds unexpended at the end of the year may not lapse but must be carried forward. Home-Release Monitoring Program funds must be accounted for through the normal budget process.

SECTION V
STANDARDS FOR JUVENILE
TEMPORARY HOLDING RESOURCES

MAINE DEPARTMENT OF CORRECTIONS

SECTION V. STANDARDS FOR JUVENILE TEMPORARY HOLDING RESOURCE

Standard #01 A Temporary Holding Resource Area shall be certified by the Maine Department of Corrections, prior to occupancy. Temporary Holding Resource Areas may be provided to a county by another county.

Standard #02 A Temporary Holding Resource Area shall not be located within the secure perimeter of a jail or other secure detention facility intended or primarily used for the detention of adults. (15 MRSA, Section 3003, Subsection 26)

Standard #03 The level of security provided in a Temporary Holding Resource Area shall be based on the intensity of staff supervision employed rather than on the physical security characteristics of the facility. A Temporary Holding Resource Area is a residential setting in which staff supervision prevents a juvenile from leaving at will.

Standard #04 Juveniles authorized to be detained by a Juvenile Caseworker may be held in a Temporary Holding Resource Area unless a Juvenile Caseworker determines that detention in a secure detention facility is necessary. (15 MRSA, Section 3203-A, Subsection 4, Paragraph C). The Juvenile Caseworker shall determine the placement, guided by the Juvenile Detentions Initial Placement Form, (Appendix #1) reviewed at admissions by correctional staff, in consultation with the Juvenile Caseworker.

Standard #05 Staff providing supervision in a Temporary Holding Resource Area must be certified by the Maine Criminal Justice Academy as Correctional Officers, pursuant to 25 MRSA. At no time shall the minimum ratio of staff to juveniles be less than one staff person to three juveniles. Staffing plans shall include provisions for immediate response by backup staff in the event of an emergency. Juveniles shall be supervised and searched by staff of the same sex.

Standard #06 The operation of each Temporary Holding resource shall be directed by written post orders. Post orders shall include both scheduled and unscheduled duties and responsibilities that ensure compliance with the following standards:

- Holding facility logs;
- Completion of the Population Report Forms;
- Evacuation procedures;
- Searches;
- Observation/supervision checks of juveniles;
- Meals;
- Admission and release procedures;
- Medical Screening Form;
- Providing of bedding, linen, and personal hygiene items;
- Location of first aid kits;
- Emergency medical care; and
- Transfer to physically secure detention.

Standard #07 Medical Screening Forms shall be completed on all juveniles when admitted to a Temporary Holding Resource Area. (Appendix 2)

Standard #08 Staff providing supervision in a Temporary Holding Resource Area shall be provided with routine radio communications and/or audio monitoring with a control center, dispatch center, or staff post covered 24 hours a day. At a minimum, staff supervising juveniles in the Temporary Holding Resource Area will contact the control/dispatch at least every 30 minutes. Such contacts shall be logged.

Standard #09 Staff supervising a Temporary Holding Resource Area shall maintain a written, bound log of activities. At a minimum, the following information shall be recorded:

- a. Name(s) of the staff person on duty;
- b. The name, date, time, reason, and authorization of all admissions and releases;
- c. The number/count of juveniles being held;
- d. All routine and emergency activities, including radio communications and/or audio monitoring;
and
- e. All visitors to the area.

Standard #10 A Temporary Holding Resource Area shall provide minimum of 35 square feet of sleeping area and 15 square feet of day space or lounge space per juvenile.

Standard #11 A Temporary Holding Resource Area shall be furnished with appropriate seating for the number of juveniles to be held.

Standard #12 A Temporary Holding Resource Area shall provide separate sleeping areas, with beds and clean bedding, for female and male juveniles.

Standard #13 A daily work routine shall be established to keep all areas of the Temporary Holding Resource Area clean and in good order.

Standard #14 Juveniles held in a Temporary Holding Resource Area shall be provided ready access to restroom facilities, including, at a minimum, sink, toilet, and shower.

Standard #15 A Temporary Holding Resource Area must comply with the Life Safety Codes adopted by the State Fire Marshal's Office.

Standard #16 Juveniles held during meal times shall be provided with appropriate meals.

Standard #17 Juveniles held overnight in a Temporary Holding Resource Area shall be provided, or shall have access to, personal hygiene items. At a minimum, these items shall include:

- a. Toothbrush and toothpaste;
- b. Soap and shampoo;
- c. Feminine hygiene items, as needed; and
- d. Disposable razors and shaving cream.

Standard #18 Temporary Holding Resource Area Population Report Forms (Appendix 3) shall be completed and submitted to the Department of Corrections, Inspections Division, Station # 111, Augusta, Maine 04333, at the end of each month.

Standard #19 Any juvenile initially detained in a Temporary Holding Resource Area may, with approval from the Juvenile Caseworker, be transferred to a Secure Detention Facility when supervisory staff have determined that the juvenile's behavior poses an immediate and real risk that requires transfer to a physically secure environment. The date, time, justification, and authorization for such transfers shall be recorded in the Activity Log.

APPENDIX

- Appendix #1** Juvenile Detention Initial Placement Form
- Appendix #2** Medical Screening & Observation Form
- Appendix #3** Temporary Holding Resource Area, Monthly
Population Report Form

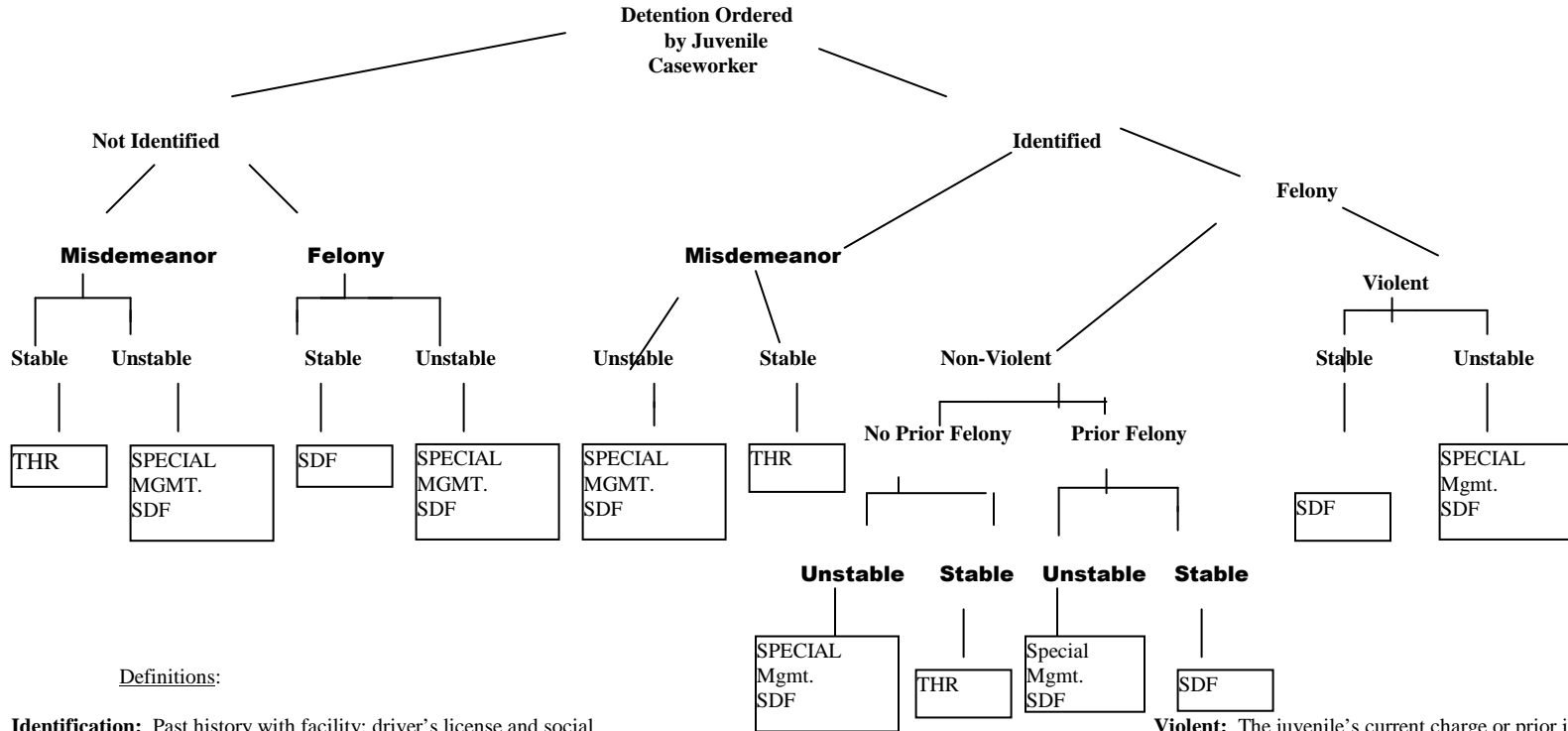
Appendix 1

Juvenile Detention Initial Placement Form

Corrections Officer: _____
 Date: _____
 Time: _____
 County: _____

Juvenile's Name: _____ D.O.B. _____
 Current Charge: _____
 Juvenile Caseworker: _____
 Placement: ☐ THR ☐ SDF ☐ SDF Spec. Mgmt.

Male ☐ Female ☐



Definitions:

Identification: Past history with facility; driver's license and social security card; matches warrant description and wallet identification; court papers; fingerprints.

No Identification: If none of the above factors is confirmed, the juvenile is considered to have no identification.

Felony: Murder, Class A, B, or C crime

Misdemeanor: Class D, E crime.

Non-Violent: The juvenile's current charge or prior is not Murder, or a Class A, B, Or C crime against a person.

THR: Temporary Holding Resource (staff secure).

SDF: Secure Detention Facility

Violent: The juvenile's current charge or prior is Murder or a Class A, B, or C crime against a person.

No Prior: No known previous felony adjudications.

Prior: Known previous felony adjudications.

Unstable: The juvenile appears to be out of control, unstable physically or mentally, or is incapacitated by drugs or alcohol.

Stable: The juvenile appears to be stable physically and mentally.

Special Mgmt.: This phrase indicates a Special Management juvenile. (Intoxicated, suicidal, mental health problems, behavior out of control.)

**MAINE DEPARTMENT OF CORRECTIONS
CORRECTIONAL AND DETENTION FACILITIES**

APPENDIX 2 INMATE INTAKE/SCREENING FORM

Inmate's Name		
Date of Birth		
Sex		
Date		
Time		
Most Serious Charge	Report Number	Screening Officer

Was inmate a medical, mental health or suicide risk during any prior contact or confinement with your department?

Yes No If Yes, when: _____

Does the arresting or transporting officer believe that inmate is a medical, mental health or suicide risk now?

Yes No

OFFICERS' OBSERVATIONS

YES	NO		YES	NO	
_____	_____	Assaultive/Violent Behavior	_____	_____	Crying/Tearful
_____	_____	Loud/Obnoxious Behavior	_____	_____	Confused
_____	_____	Any Noticeable Marks/Scars	_____	_____	Uncooperative
_____	_____	Bizarre Behavior	_____	_____	Passive
_____	_____	Alcohol/Drug Withdrawal	_____	_____	Intoxicated
_____	_____	Unusual Suspiciousness	_____	_____	Scared
_____	_____	Hearing Voices/Seeing Visions	_____	_____	Incoherent
_____	_____	Observable Pain/Injuries	_____	_____	Embarrassed
_____	_____	Other Observable Signs of	_____	_____	Cooperative
Depression explain: _____					

MEDICAL HISTORY

YES	NO	
_____	_____	Are you injured? If Yes, explain: _____
_____	_____	Are you currently under a physician's care? If Yes, explain: _____
_____	_____	If female, Are you pregnant? _____
_____	_____	Are you currently taking any medication? If Yes, list type(s), dosage(s), and frequency: _____

DO YOU SUFFER FROM ANY OF THE FOLLOWING:

YES	NO		YES	NO	
_____	_____	Hepatitis	_____	_____	Heart Diseases
_____	_____	Shortness of Breath	_____	_____	Chest Pain(s)
_____	_____	Abdominal Pain(s)	_____	_____	Asthma
_____	_____	High Blood Pressure	_____	_____	Venereal Disease
_____	_____	Tuberculosis	_____	_____	Diabetes
_____	_____	Alcohol Addiction	_____	_____	Drug Addiction
_____	_____	Epilepsy/Blackouts/Seizures	_____	_____	Ulcers
_____	_____	Other Medical Problems and/or Diseases	_____	_____	AIDS (Optional)

explain: _____

Page 1 of 2

YES NO

____ Have you ever attempted suicide? If Yes, When? _____
Why? _____ How? _____

____ Have you ever considered suicide? If Yes,
When? _____ Why? _____

____ Are you now or have you ever been treated for mental health or emotional Problems? If Yes
When? _____ Inpatient: _____ Outpatient: _____ Both _____

____ Have you recently experienced a significant loss (job, relationship, death or family member/
close friend, etc.)? If Yes, explain:

____ Do you feel that there is nothing to look forward to in the immediate future
(expressing helplessness and/or hopelessness)? If Yes, explain:

____ Are you thinking of killing yourself? If Yes, explain: _____

Additional Remarks: _____

DISPOSITION

General Population

Special Watch

- 1) Supervision Levels: Active (5-15 minutes) _____ Constant _____
- 2) Housing Assignment: Cell # _____ Cell # _____ Other _____
- 3) Other precautions taken (removal of clothing, bedding, etc., If appropriate)

Medical Hospital. If inmate is later returned to facility, list any special watch recommendations.

Mental Health Service. If inmate is later returned to facility, list any special watch recommendations.

Other dispositoin/referral/transfer _____

FAILURE TO ANSWER/REFUSAL OF TREATMENT

Inmate refused to answer (circle) or unable to answer (circle and state why) the verbal response sections of this screening form.

I, _____ (print name), refuse any type of medical treatment.

SIGNATURES:

Screening

Officer: _____

Inmate: _____

Supervisor: _____

MAINE DEPARTMENT OF CORRECTIONS MONTHLY JUVENILE POPULATION REPORT

Appendix 3

Monthly/Year _____ **Completed By:** _____

[illegible]